

1203. Also, petition of 285 residents of the county of Ionia, Mich., protesting against the passage of House bill 78, or any other bill providing for compulsory Sunday observance; to the Committee on the District of Columbia.

1204. Also, petition of 100 residents of Lakeview, Mich., protesting against the passage of House bill 78, or any other bill providing for compulsory Sunday observance; to the Committee on the District of Columbia.

1205. Also, petition of 170 residents of Gratiot County, Mich., protesting against the passage of House bill 78 or any other bill providing for compulsory Sunday observance; to the Committee on the District of Columbia.

1206. Also, petition of 119 residents of the eighth congressional district of Michigan protesting against the passage of House bill 78 or any other bill providing for compulsory Sunday observance; to the Committee on the District of Columbia.

1207. By Mr. WEAVER: Petition of citizens of Hendersonville, N. C., protesting against the passage of House bill 78, Lanford Sunday observance bill; to the Committee on the District of Columbia.

1208. Also, petition of citizens of Old Fort, N. C., protesting against passage of House bill 78; to the Committee on the District of Columbia.

1209. Also, petition of citizens of Tryon, N. C., protesting against passage of the Lanford Sunday observance bill (H. R. 78); to the Committee on the District of Columbia.

1210. By Mr. WOOD: Senate Concurrent Resolution No. 6 of the seventy-fifth regular session of the General Assembly of the State of Indiana requesting the Congress to appropriate funds to carry out certain recommendations of the Chief of Staff of the United States Army to be used in the furtherance of the national defense act of 1920; to the Committee on Appropriations.

## SENATE

TUESDAY, January 10, 1928

(Legislative day of Monday, January 9, 1928)

The Senate reassembled at 12 o'clock meridian, on the expiration of the recess.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Edge	King	Sheppard
Barkley	Edwards	La Follette	Shipstead
Bayard	Ferris	McKellar	Shortridge
Bingham	Fess	McLean	Smoot
Black	Fletcher	McMaster	Steak
Blaine	Frazier	McNary	Stetler
Blease	George	Mayfield	Stephens
Borah	Gerry	Metcalf	Swanson
Bratton	Gillett	Moses	Thomas
Brookhart	Gould	Norbeck	Trammell
Broussard	Greene	Norris	Tydings
Bruce	Hale	Nye	Tyson
Capper	Harris	Oddie	Wagner
Caraway	Harrison	Owenman	Walsh, Mass.
Copeland	Hawes	Phipps	Walsh, Mont.
Couzens	Hayden	Pine	Warren
Curtis	Hellin	Ransdell	Waterson
Cutting	Howell	Reed, Pa.	Watson
Dale	Johnson	Robinson, Ark.	Wheeler
Deneen	Jones	Robinson, Ind.	Willis
Dill	Kendrick	Sackett	

The VICE PRESIDENT. Eighty-three Senators having answered to their names, a quorum is present.

### SENATOR FROM ILLINOIS

Mr. DENEEN. Mr. President, I ask unanimous consent to have printed in the RECORD a statement by Senator-elect FRANK L. SMITH, of Illinois, before the special committee on expenditures in senatorial elections at its meeting on Saturday last.

There being no objection, the statement was ordered printed in the RECORD, as follows:

STATEMENT OF THE HON. FRANK L. SMITH BEFORE THE SPECIAL COMMITTEE ON EXPENDITURES IN SENATORIAL ELECTIONS SATURDAY, JANUARY 7, 1928

Mr. SMITH. Mr. Chairman and gentlemen of the committee, in deference to the notice from the chairman of this special committee I respectfully come before you to make a statement as briefly as the circumstances and the importance of the present matter affecting the people of Illinois and myself will admit.

For 110 years Illinois has been a member of the Union of States which comprise our Nation. More than 7,000,000 people within her borders are directly concerned and affected by the denial of her constitutional

right to full, equal, and continuous representation in the Senate of the United States. Her very motto embraces the theory of our dual form of government that was uppermost in the minds of the patriotic and farsighted men who framed our National Constitution, namely, "National Union! State sovereignty!"

Proudly Illinois has advanced through all the years since she was a loyal county of Virginia, later to become a Territory, and, finally, in 1818, to achieve her high and justly earned distinction of statehood in our National Union. Her history and traditions in support of constitutional government is as glorious as it has been constant and effective. She has never failed to maintain constitutional government and conform to its laws. Her sons have never failed to respond to the call of our country. In peace as in war, at home and abroad, a recital of more than a century of deeds accomplished and devotion unerring for the National Union is the glory of her people and commands the rightful admiration of her sister States.

The denial to Illinois of her inherent constitutional rights, which affects not only this State but, as she earnestly believes, the future welfare of the Nation, is of such grave importance that it makes this a solemn moment. Unimportant as may be my personality as one of the least of the factors in this far-reaching situation, I can not avoid, even if I willed it otherwise, to raise my voice in protest against such denial.

It has been said: "Let no man be sure that the injustice he to-day inflicts on another that to-morrow may not make of him the subject of the same injustice." This maxim applied to Illinois to-day may, and probably will, return again and again to plague other States of our Union.

Our Federal Constitution, as I understand it, provides that the Senate of the United States shall be composed of two Senators from each State, elected by the people thereof for six years, and that no State without its consent shall be deprived of its equal representation in this body. It further provides certain qualifications for membership. No one shall be a Senator who shall be under 30 years of age or is non-resident of the State from which he is chosen. All powers not delegated to the National Government are reserved to the several States and to the people thereof.

The Senate is made the judge of the election of its own Members, and also of whether such Members possess the qualifications set forth in the Constitution. Every Senator upon assuming the duties of his office shall qualify by taking the oath to support the Constitution.

After its Members have been elected and qualified the Senate may punish any of them for disorderly conduct, and by a vote of two-thirds expel a Member therefor.

I feel justified in taking the position that whenever the State of Illinois, or any other sovereign State of this Union, sends to the National Senate its representative who bears the credentials of an uncontested and incontestable election, and possesses all the qualifications for that office that are set forth in the Constitution, that such State has the right to have such representative given the oath to membership.

Neither the Senate nor any nor all branches of the Federal Government has any right or authority to add anything to the qualifications as they are set forth in the fundamental law. If any such power exists it remains in the States or in the people thereof, and neither the States nor the people have yet seen fit to call it into being. Nowhere in the Constitution is the Senate authorized to select its own membership.

I come to this body bearing the credentials of the third State of the Union. I possess all the constitutional qualifications of a Senator. The fact of my election is beyond controversy. I was nominated as the Republican candidate for the office of Senator at a free and equal primary of the Republican voters of Illinois. Under the law of my State any question as to the integrity of my nomination could have been raised in the courts of each of the 102 counties of the State. No contest of any kind was ever instituted, and no suggestion has ever been made but that I was the choice of a large majority of the Republican voters of Illinois.

Between the primaries in April and the ensuing election held November 2, 1926, I was opposed by two able and vigorous candidates. The contest was spirited and even intense, and every charge of every kind and character that has ever been made against me anywhere was laid before the voters of my State, who have known me all my life. The event resulted in my election by a decisive vote. That result was canvassed by the State canvassing board, no contest was made or even threatened, and I was duly certified to the Senate of the United States as the uncontested choice of the electors of my State as one of its Senators.

Further, as indicative of the choice of the people of my State, there is of record here the joint resolution adopted by both houses of the General Assembly of Illinois insisting that her constitutional rights be respected and given effect by my admission to the office to which I was legally elected.

I am not unmindful that perhaps it might be politically expedient, so far as my individual fortune may be concerned, to assume to waive the constitutional rights of my State for the irregular opportunity of trying to convince the distinguished members of this special committee that the certificate of moral fitness, which the people of Illinois

gave me in a general election, was merited. But if individual misfortune shall come by my act of refusing to sanction what I believe to be an unconstitutional proceeding, I shall all my life be comforted with the thought that if at some future time a denial of the rights of my State for the sake of political expediency shall be acquiesced in, it will be the act of someone other than myself. My State has honored me and has a right to expect in return, at whatever personal sacrifice may be the outcome, that I will stand firm in protest against the denial of her rights.

The framers of our Federal Constitution in an unamendable article guaranteed to each State equal representation in the United States Senate. It is my position that Illinois has been deprived of this guaranty.

The framers of the Federal Constitution provided that United States Senators should be elected by the various legislatures. Illinois was one of the first States to propose and affirm that this power should be lodged in the people. My credentials are, therefore, a mandate from the people of Illinois, as a result of a general election against which there never has been nor can there be a charge of fraud or irregularity.

The people again spoke through their representatives in the adoption of resolutions creating the delegation on the constitutional rights of Illinois, which has appeared here. My position is supported by the choice and act of the people, by the act of the general assembly of my State, and by a unanimous opinion of the Supreme Court of Illinois.

In volume 261, commencing at page 413, Illinois Supreme Court Reports, the Supreme Court of Illinois said:

"All persons are equally eligible to office who are not excluded by some constitutional or legal disqualification. \* \* \* Eligibility to office, therefore, belongs equally to persons whomsoever not excluded by the constitution"—

And that—

"the legislature can not establish arbitrary exclusions from office or any general regulation requiring qualifications which the constitution has not required."

The court further says:

"There is a distinction between the office created by the constitution and those created by statute. Where an office is created by statute, it is wholly within the power of the legislature creating it. The length of term and mode of appointment may be altered at pleasure and the office may be abolished altogether."

But the court makes this important distinction:

"It is not so of constitutional office."

The court further reasons:

"It may be true that many persons having the constitutional qualifications are wholly unfit to discharge the duties of many offices within the State, but if the legislature possesses the power to vary the constitutional qualifications for office by adding new requirements or imposing additional limitations, then eligibility to office and freedom of elections depend not upon constitutional guaranties but upon legislative forbearance. If the legislature may alter the constitutional requirements, its power is unlimited, and only such persons may be elected to office as the legislature may permit. In our judgment, when the constitution undertakes to prescribe qualifications for office its declaration is conclusive of the whole matter, whether in affirmative or negative form. Eligibility to office belongs to all persons. In our constitution no other form of stating eligibility to office is found than the declaration that no person shall be eligible who does not possess certain qualifications. The Constitution of the United States is in the same form in this particular, and so are the constitutions of other States. The expression of the disabilities specified excludes others. The declaration in the constitution that certain persons are not eligible to office implies that all other persons are eligible."

My counsel advises that the Supreme Courts of California, Indiana, Maryland, Kansas, Minnesota, Montana, Texas, and Wisconsin have likewise consistently held concerning the power of a legislative body, which is that it may change qualifications for offices created by statute but can not change nor add to nor take from the qualifications named in the constitution.

In view of the action of the people of Illinois, by which they made me United States Senator, and in view of the act of the general assembly creating the delegation on the constitutional rights of Illinois in this matter, and, finally, in view of the interpretations of those constitutional rights by the Supreme Court of Illinois, I doubt whether even this special committee would expect me to depart from my plain duty in this instance by assuming to waive the rights of Illinois that I might participate in what the supreme court of my State has plainly said would be an extraconstitutional proceeding.

Thus I have been honored:

- First. By the preference of my party at the primaries.
- Second. By election at the hands of the people of my State.
- Third. By executive appointment to fill a vacancy in the Senate.
- Fourth. By the General Assembly of Illinois in resolutions adopted.
- Fifth. By the demand of the senior Senator of Illinois.
- Sixth. By the appearance in behalf of the State of the attorney general of Illinois.

Seventh. By interpretation of the Supreme Court of Illinois in support of my position to my right to membership in this body.

Under the circumstances now confronting me I can at this time do neither more nor less than to insist upon the sovereign rights of the State whose credentials I bear. That right is to have the candidate of her choice, who possesses all the constitutional qualifications, admitted to membership in this body, thereby according to my State the equal representation to which she is constitutionally entitled. When that right is granted, then I shall freely, gladly, and unafraid meet any and all charges respecting my moral or other fitness to continue a Member of this distinguished body. But unless and until the right of my State to such full, equal, and continuous representation is first accorded I can not become a party to an unwarranted precedent, nor to any pretended inquiry as to my personal fitness for association with the distinguished men now composing the Senate of the United States.

Great as my ambition to sit in the Senate may have been, and keen as my regret may be for the denial of my right to admission to this body, the duty I owe to the people who have honored me is the thing of highest importance in my life. To keep faith with this people is to me a greater thing than to be a Senator, and I shall keep faith with them, whatever the cost to myself shall be.

To keep faith with my people my course must be compatible with their rights. The people of Illinois know their rights under the Constitution. They know them by the unbroken practice of 150 years. They know them by the traditions which have been handed down from the founding of this Nation. They know them by the history of their country. They know their rights from that instinctive, inherent knowledge which tells all men in their souls whether they are bond or free.

The citizens of Illinois know that if they are a free people of a sovereign State they have the right, upon the day and in the manner prescribed by law, to choose of their own free will whomsoever they please to send as their representative to the Nation's Capital. They know that if they are restricted in this choice by the whim, the caprice, or even the conviction of any power on earth other than themselves that they are not free but are the bondsmen of tyranny.

I am here as their carefully considered and lawfully made choice for Senator. Therefore, in their name, and with full authority from my State and my people, I protest against any invasion of their rights, and demand that their choice of a Senator be respected, and that the Senate of the United States keep the faith of the Constitution which created it by giving to the representative of Illinois the seat justly due him.

If the Senate shall not comply with this demand; if it shall continue to deny to my State the right to have her representative administered the oath of office; and if it shall at last refuse to accord to the third State in the Union the equal representation guaranteed to it by the Constitution, I will have the consolation of knowing that Frank L. Smith refused to compromise the rights of those who have trusted and honored him, even though he might thereby have lost a seat in this august and historic assembly.

#### MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the Speaker had affixed his signature to the enrolled bill (H. R. 483) authorizing the Secretary of the Treasury to acquire certain lands within the District of Columbia to be used as sites for public buildings, and it was thereupon signed by the Vice President.

#### PETITIONS AND MEMORIALS

Mr. WALSH of Massachusetts. Mr. President, I present a letter from Mr. George Hannauer, president of the Boston & Maine Railroad, of Boston, Mass., which very concisely and clearly presents reasons why certain important changes should be made in the revenue bill now pending before the Committee on Finance of the Senate. I ask that this letter be treated in the nature of a petition, printed in the CONGRESSIONAL RECORD, and referred to the Committee on Finance.

There being no objection, the letter was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

BOSTON & MAINE RAILROAD,  
Boston, Mass., January 6, 1928.

Hon. DAVID I. WALSH,

United States Senate, Washington, D. C.

MY DEAR SENATOR WALSH:

I should like now to submit for your consideration in connection with the revenue bill (H. R. 1) which passed the House December 15, 1927, two provisions of special interest to the Boston & Maine Railroad, as well as to business corporations generally.

1. Section 13, which (we believe properly) reduced the corporation income tax from the existing rate of 13½ to 11½ per cent.

2. Section 141, which, except as to the taxable years 1927 and 1928, abolishes the present right of affiliated corporations to make consolidated returns.

1. The equity of the corporation-tax reduction is obvious when we consider:

A. That the normal tax upon individuals is only 1½, 3, or 5 per cent, and that while the net income of corporations distributed to stockholders is exempt from this normal tax, payments 12 per cent, 10½ per cent, or 8 per cent greater than would be made upon each dollar of net income earned by the individualistic or partnership form of business are made as a result merely of the use of the corporate business form.

2. Instead of eliminating the provisions for affiliated or consolidated returns, we believe these provisions should be made more generous.

Section 240 of the 1926 act provides: Two or more domestic corporations may be deemed to be affiliated—

(a) If one corporation owns at least 95 per cent of the stock of the other or others; or,

(b) If at least 95 per cent of the stock of two or more corporations is owned by the same interests.

(Stock as used in this requirement does not include nonvoting stock which is limited and preferred as to dividends.)

The object of the provision is set forth clearly in article 631 of regulations 69 under the heading affiliated corporations—

"Consolidated returns are based upon the principle of levying the tax according to the true net income of a single enterprise, even though the business is operated through more than one corporation. Where one corporation owns the capital stock of another corporation or other corporations, or where the stock of two or more corporations is owned by the same interests, a situation results which is closely analogous to that of a business maintaining one or more branch establishments. In the latter case, because of direct ownership of the property, the net income of the branch forms a part of the net income of the entire organization."

In other words, the theory of affiliation and the consolidated return is that of an "economic unit" with all intercompany transactions and relationships eliminated and a resulting balance sheet and profit and loss statement showing the situation as though it were a single business.

Provisions permitting or requiring consolidated returns have been placed in every revenue act since the 1917 act.

When the revenue bill of 1917 was before the Senate the Finance Committee reported:

"While the committee is convinced that the consolidated return tends to conserve, not to reduce, the revenue, the committee recommends its adoption not primarily because it operates to prevent evasion of taxes or because of its effect upon the revenue, but because of its effect upon the principle of taxing as a business unit, what in reality is a business unit, is sound and equitable and convenient both to the taxpayer and the Government."

If we admit this theory to be sound, manifestly the stipulation of ownership of 95 per cent of stock of an affiliated corporation is an arbitrary requirement. The true test should be the facts with respect to the economic unity.

Let us assume the case of a railroad owning 96 per cent of the stock of corporation A and 96 per cent of the stock of corporation B; in that event consolidation is permitted. The result is that if corporation A for the given year has a taxable income of \$100,000; corporation B has a deficit of \$200,000, and the parent company X has an income of \$500,000, the taxable net income of the economic unit will be \$400,000. But if the three companies are in fact one economic unit and X company is responsible for the deficits of A and/or B companies, why should an arbitrary 95 percentage of stock ownership be adopted; why 95 per cent or 51 per cent, or any other percentage? It would seem clearly that the test should be the fact as to economic unity alone.

Assume a parent corporation X which has guaranteed the principal and interest of all the outstanding bonds of corporation A. A minority stock ownership of A is in X. Yet in order to protect the bonds it is necessary for X annually to pay to A large operative deficits without hope of return. Is there not here also one economic unity?

These are some of the reasons why we believe that the provisions for consolidated returns should be reinstated in the new revenue act, and should be made more generous in order to reflect the true intent to tax an economic unit as such.

Respectfully,

GEORGE HANNAUER, *President.*

Mr. WALSH of Massachusetts presented a petition of sundry citizens of Medfield, Mass., praying for the passage of legislation granting increased pensions to Civil War veterans and their widows, which was referred to the Committee on Pensions.

Mr. ASHURST presented a resolution adopted by Cactus Chapter, No. 2, Disabled American Veterans of the World War,

at Tucson, Ariz., which was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

A resolution protesting against the enactment of any legislation which would defeat or nullify the Ashurst amendment to the World War veterans' act (\$50 per month statutory award for arrested cases of service-connected tuberculosis)

Whereas it has come to the attention of the ex-service men's organizations throughout the United States that there are persistent rumors to the effect that the central office of the United States Veterans' Bureau intends to recommend to Congress a substantial reduction of the \$50 per month statutory award for arrested cases of service-connected tuberculosis (Ashurst amendment); and

Whereas it has been shown that the statutory award of \$50 per month for life for arrested tuberculars cost the disabled men and women of America untold energy to have enacted into a law, and this law did not become a reality until after our lawmaking bodies in Washington had been thoroughly convinced of its merits by the most expert and convincing evidence made possible by the highest skilled men in America; and

Whereas the Ashurst amendment has demonstrated the success of statutory award, inasmuch as a much smaller percentage of ex-service men have become reactivated since the inception of this law; and

Whereas the arguments of the United States Veterans' Bureau against this amendment and in favor of a graduated scale from 25 per cent to 33 per cent, according to the advancement of the disease, have been proven by medical and substantial facts to be both unfair and impracticable, due to the fact that nearly all cases of arrested tuberculosis which are service connected could not possibly be incipient cases at the bureau rating of 25 per cent, or they could not be moderately advanced, because if this were the case, according to bureau rulings, their disability could not be service connected; therefore they would not receive compensation. Therefore, the bureau must admit that practically only a few moderately advanced B and C class beneficiaries are receiving compensation, while the far-advanced cases are in the majority. For example, in United States Veterans' Hospital, No. 51, at Tucson, Ariz., there are at the present time approximately 38 beneficiaries receiving the rating of temporary total, 28 ex-service men receiving no compensation whatsoever, and 172 beneficiaries receiving a total permanent rating; and

Whereas the above figures prove beyond a doubt that the unfortunate men who are at present far-advanced cases, but who may some day be fortunate enough to become arrested cases have before them a poor financial outlook, should the bureau's ruling of 33 per cent for arrested far-advanced cases become a reality: Therefore be it

*Resolved*, That we, the members of Cactus Chapter, No. 2, Disabled American Veterans of the World War, Tucson, Ariz., in regular session assembled on the 5th day of January, 1928, do hereby protest against the enactment of any amendment by Congress which would defeat or nullify the Ashurst amendment to the World War veterans' act (\$50 per month statutory award for arrested cases of service-connected tuberculosis); be it further

*Resolved*, That copies of this resolution be forwarded by the Director of the Veterans' Bureau; ROYAL C. JOHNSON, chairman of the Veterans' Committee in Congress; Commander Tate, of the Disabled American Veterans of the World War; Captain Kirby, national legislative committeeman of the D. A. V. W. W.; Hon. CARL HAYDEN; Hon. HENRY F. ASHURST; and I. A. Marcotte, the State commander of the Disabled American Veterans of the World War.

Attest:

THOS. S. SAWYER,  
*Commander.*  
CHARLES L. EDGERTON,  
*Adjutant.*  
JAMES C. HERRON,  
JOSEPH THOMAS,  
FRANCIS J. NILES,  
*Members Executive Committee.*

Mr. COPELAND presented a telegram from F. Park Lewis, of Buffalo, N. Y., which was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

BUFFALO, N. Y., January 5, 1928.

Hon. ROYAL S. COPELAND,

*Senate Chamber, Washington, D. C.:*

Hope Nicaraguan resolutions will not be allowed to remain in committee. Interference with armed force in foreign country unwarrantable and reprehensible, not in harmony with American principles or tradition.

F. PARK LEWIS.

Mr. COPELAND also presented memorials numerously signed by sundry citizens of New York, N. Y., remonstrating against the passage of legislation providing for compulsory Sunday observance in the District of Columbia, which were referred to the Committee on the District of Columbia.

Mr. WARREN presented a resolution adopted by the Lions Club of Greybull, Wyo., favoring the passage of legislation to aid in insuring adequate supplies of timber and other forest products, which was referred to the Committee on Agriculture and Forestry.

He also presented a resolution adopted by the Lions Club of Greybull, Wyo., favoring the making of adequate appropriations for the reforestation of denuded areas within the national forests, which was referred to the Committee on Appropriations.

Mr. CAPPER presented resolutions adopted by Woman's Relief Corps, No. 9, of Lawrence, Kans., favoring the passage of legislation granting increase of pension to \$50 per month to widows of Civil War veterans, which were referred to the Committee on Pensions.

He also presented petitions of Topeka Post, No. 71, and Topeka Post, No. 94, Woman's Relief Corps, both of the Grand Army of the Republic, Department of Kansas, of Topeka, Kans., praying for the passage of legislation granting pensions of \$50 per month to widows of Civil War veterans, and also for the repeal of the provision of the law barring widows from pensions who were married to veterans after June 27, 1905, which were referred to the Committee on Pensions.

#### REPORTS OF COMMITTEES

Mr. ASHURST, from the Committee on Public Lands and Surveys, to which was referred the bill (S. 1154) to authorize the use by the county of Yuma, Ariz., of certain public lands for a municipal aviation field, and for other purposes, reported it with an amendment and submitted a report (No. 46) thereon.

He also, from the same committee, to which was referred the bill (S. 1155) to grant extensions of time under oil and gas permits, reported it with amendments and submitted a report (No. 47) thereon.

Mr. KENDRICK, from the Committee on Public Lands and Surveys, to which was referred the bill (S. 1312) to change the name of the Utah National Park, the establishment of which is provided for by the act of Congress approved June 7, 1924 (43 Stat. 593), to the "Bryce Canyon National Park," and for other purposes, reported it without amendment and submitted a report (No. 48) thereon.

Mr. CAPPER, from the Committee on the District of Columbia, to which was referred the bill (S. 1284) amending the act approved April 30, 1926, entitled "An act amending the act entitled 'An act providing for a comprehensive development of the park and playground system of the National Capital,' approved June 6, 1924," reported it without amendment and submitted a report (No. 49) thereon.

Mr. NYE, from the Committee on Public Lands and Surveys, to which was referred the bill (S. 440) for the relief of Charles H. Send, reported it without amendment and submitted a report (No. 50) thereon.

Mr. McNARY, from the Committee on Public Lands and Surveys, to which was referred the bill (S. 1193) granting certain rocks or islands to the State of Oregon for park purposes, reported it without amendment and submitted a report (No. 51) thereon.

#### BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JOHNSON:

A bill (S. 2426) to establish a uniform rule of naturalization and to amend and codify the laws relating thereto, to provide for recognition of citizenship in certain cases, and for other purposes; to the Committee on Immigration.

By Mr. DILL:

A bill (S. 2427) to enact supplemental section 8853-1 to section 8853 of the General Code relative to public railroad crossings of highways, and to provide that drivers or occupants of vehicles at such crossings guilty of contributory negligence shall not be barred a recovery; to the Committee on the Judiciary.

A bill (S. 2428) for the relief of William M. Wiser; to the Committee on Claims.

By Mr. SHEPPARD:

A bill (S. 2429) for the promotion of pecan culture in southwestern United States; to the Committee on Agriculture and Forestry.

A bill (S. 2430) for the relief of W. J. Moodyman; to the Committee on Claims.

By Mr. JONES:

A bill (S. 2431) to authorize an appropriation for the construction of a road on the Makah Indian Reservation, Wash.; to the Committee on Indian Affairs.

By Mr. NORRIS:

A bill (S. 2432) granting a pension to Mary Longstreth; to the Committee on Pensions.

By Mr. WALSH of Massachusetts:

A bill (S. 2433) granting a pension to Alice F. Leach;

A bill (S. 2434) granting a pension to Catherine Shea; and

A bill (S. 2435) granting an increase of pension to Frances P. Gibbs; to the Committee on Pensions.

By Mr. SHORTRIDGE:

A bill (S. 2436) to amend the act entitled "An act relating to the use or disposal of vessels or vehicles forfeited to the United States for violation of the customs laws or the national prohibition act, and for other purposes," approved March 3, 1925, as amended; to the Committee on the Judiciary.

A bill (S. 2437) for the relief of Irene Strauss; and

A bill (S. 2438) for the relief of the firm of M. Levin & Sons; to the Committee on Claims.

A bill (S. 2439) to amend the military record of Arthur Waldenmeyer; to the Committee on Military Affairs.

By Mr. SHIPSTEAD:

A bill (S. 2440) to provide that four hours shall constitute a day's work on Saturdays throughout the year for all employees in the Government Printing Office; to the Committee on Education and Labor.

By Mr. LA FOLLETTE:

A bill (S. 2441) for the relief of Frank Murray; to the Committee on Claims.

A bill (S. 2442) for the relief of Lieut. Henry C. Weber, Medical Corps, United States Navy; to the Committee on Naval Affairs.

By Mr. WHEELER:

A bill (S. 2443) for the relief of Joseph Morrison; to the Committee on Claims.

A bill (S. 2444) granting an increase of pension to Thomas G. Nielsen; to the Committee on Pensions.

By Mr. HAWES:

A bill (S. 2445) granting a pension to John Mayfield (with accompanying papers); and

A bill (S. 2446) granting a pension to Susan A. Yount (with accompanying papers); to the Committee on Pensions.

By Mr. GILLETT:

A bill (S. 2447) for the relief of the stockholders of the First National Bank of Newton, Mass.; to the Committee on Claims.

By Mr. HARRIS:

A bill (S. 2448) for the relief of Margaret Doyle, administratrix of the estate of James Doyle, deceased; to the Committee on Claims.

By Mr. BROUSSARD (by request):

A bill (S. 2449) to authorize the construction of a bridge across the Mississippi River at or near the city of Baton Rouge, in the parish of East Baton Rouge, and a point opposite thereto in the parish of West Baton Rouge, State of Louisiana (with an accompanying paper); to the Committee on Commerce.

By Mr. REED of Pennsylvania:

A bill (S. 2450) to amend the immigration act of 1924, entitled "An act to limit the immigration of aliens into the United States, and for other purposes"; to the Committee on Immigration.

By Mr. TRAMMELL:

A bill (S. 2451) for the relief of William J. Carter; to the Committee on Claims.

By Mr. HOWELL:

A bill (S. 2452) granting a pension to Andrew Brown; and

A bill (S. 2453) granting an increase of pension to Orrie A. Harvey; to the Committee on Pensions.

By Mr. SWANSON:

A bill (S. 2454) for the relief of Fred Elias Horton (with an accompanying paper); to the Committee on Naval Affairs.

By Mr. THOMAS:

A bill (S. 2455) to amend and further extend the benefits of the act approved March 3, 1925, entitled "An act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any and all claims, of whatever nature, which the Kansas or Kaw Tribe of Indians may have or claims to have against the United States, and for other purposes"; to the Committee on Indian Affairs.

By Mr. ROBINSON of Arkansas:

A bill (S. 2456) to establish game sanctuaries in the national forests; to the Committee on Agriculture and Forestry.

A bill (S. 2457) for the relief of Bert Moore; to the Committee on Claims.

By Mr. EDWARDS:

A bill (S. 2458) to amend the World War veterans' act, 1924, as amended, in respect of furnishing flags to drape the caskets of deceased veterans; to the Committee on Finance.

A bill (S. 2459) authorizing a preliminary examination and survey of the Elizabeth River, N. J.; to the Committee on Commerce.

A bill (S. 2460) granting a pension to Annie Boden; and  
A bill (S. 2461) granting an increase of pension to Susanna S. Paxson (with accompanying papers); to the Committee on Pensions.

By Mr. TYDINGS:

A joint resolution (S. J. Res. 72) to grant permission for the erection of a memorial statue of Cardinal Gibbons; to the Committee on the Library.

By Mr. COPELAND:

A joint resolution (S. J. Res. 73) to amend the act of May 29, 1884, as amended; the act of February 2, 1903; and the act of March 3, 1905, as amended, to include poultry within their provisions; to the Committee on Agriculture and Forestry.

#### CHANGES OF REFERENCE

On motion of Mr. REED of Pennsylvania, the Committee on Military Affairs was discharged from the further consideration of the following bills and joint resolution, and they were referred as indicated below:

S. 1433. An act for the relief of J. C. Peixotto; to the Committee on Claims.

S. 854. An act to authorize the reinstatement of honorably discharged soldiers and sailors to former positions in Government service and restoration to eligible register of the names of honorably discharged soldiers and sailors; and

S. J. Res. 11. Joint resolution to amend the census act of March 3, 1919; to the Committee on Civil Service.

#### COMMITTEE SERVICE

On request of Mr. WATSON, and by unanimous consent, the Senator from Ohio [Mr. WILLIS] was excused from further service upon the Committee on Public Lands and Surveys, and the Senator from New Mexico [Mr. CUTTING] was assigned to the vacant place on the committee.

#### INVESTMENTS IN FOREIGN COUNTRIES

Mr. BLAINE. Mr. President, I submit a concurrent resolution, which I ask may lie on the table so that I may call it up in a day or two, or whenever other important pending business of the Senate is disposed of, and discuss it at that time.

The concurrent resolution (S. Con. Res. 7) was ordered to lie on the table, as follows:

*Resolved by the Senate (the House of Representatives concurring).* That the policy of this country with reference to investments and the conduct of trade by American citizens in foreign countries should be grounded upon the following principles:

1. American citizens engaged in trade or commerce in foreign countries must obey the laws of these countries.

2. Investments made by American citizens are subject to the laws of the country wherein they are made.

3. The Government of the United States will not assume responsibility for the fulfillment of contractual arrangements made by American citizens with foreign governments or with private citizens of foreign countries.

4. Before American citizens can expect the Government of the United States to take any action with reference to their complaints that they have been unfairly dealt with in foreign countries, they must first have exhausted the remedies available to them in the courts of such countries.

5. If, in the opinion of the President of the United States, decisions made by the court of last resort in any foreign country deny to American citizens the same rights accorded to nationals of other countries or violate the principles of international law, and also in the event that the legislative or executive branches of such foreign governments shall refuse to observe decisions of their courts favorable to American citizens, this country will endeavor to adjust such differences through friendly negotiations and stands ready to submit the same to arbitration.

6. In no event will the Government of the United States have recourse to arms or resort to force in any manner to gain or preserve for American citizens rights and privileges in any foreign country beyond those enjoyed by the native citizens of such country.

7. For the security of the Government of the United States, and to promote peace, the interests of the governments in this hemisphere are mutual. We owe it, therefore, to candor and to the amicable relations existing between the United States and the governments of the world to declare that we should consider any attempt on their part to extend privileges and engage in conduct not permitted to the Government of the United States or its citizens under the foregoing declarations as dangerous to our peace and safety. We could not view any attempt on the part of a foreign government to encroach upon the

rights of small nations and the equality of nations guaranteed to the countries of this hemisphere in any other light than as the manifestation of an unfriendly disposition toward the United States.

#### INVESTIGATION OF NAVAL OIL RESERVE LEASES

Mr. HARRISON obtained the floor.

Mr. NORRIS. Mr. President—

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Nebraska?

Mr. HARRISON. I yield.

Mr. NORRIS. I would like to state to the Senator from Mississippi that yesterday afternoon the Senate passed a resolution of mine directing the Committee on Public Lands and Surveys to continue the investigation heretofore made of naval oil leases. There are just a few words I want to say on that question, and I am wondering if the Senator from Mississippi will yield to me for that purpose.

Mr. HARRISON. I take it that it will not start any general discussion?

Mr. NORRIS. Of course, I can not guarantee that it will not.

Mr. HARRISON. I yield to the Senator from Nebraska provided I can obtain the floor when he has concluded.

Mr. NORRIS. Mr. President, the resolution which was passed yesterday directed that the Committee on Public Lands and Surveys should continue the investigation heretofore made by that committee in reference to the leasing of public lands, and particularly of the naval oil reserves in Wyoming, and the committee is particularly directed to make an investigation as to the transactions and activities of the Continental Trading Co. of Canada and especially directed—

to trace all the Government bonds held and dealt in by said corporation, with the purpose of ascertaining the beneficiary or beneficiaries of all the illegal transactions connected with the fraudulent and dishonest sale or leasing of the said naval oil reserves.

It occurred to me that for the benefit of the members of the Committee on Public Lands and Surveys I ought to make at least a brief statement as to what has been shown by investigations made by the attorneys representing the Government in the trial of the lawsuit pending against Mr. Sinclair and former Secretary Fall.

In November, 1921, Mr. A. E. Humphreys, an oil producer of Texas, entered into negotiations with Harry F. Sinclair, H. M. Blackmer, James O'Neil, and Robert W. Stewart for the purpose of selling to them oil that he was producing from his oil wells in Texas. On November 15, 1921, at a conference with those men in New York City, Mr. Humphreys sold them more than 33,000,000 barrels of oil at the agreed price of \$1.50 per barrel.

On the next day, when they met for the purpose of putting the contract in writing for the first time, these purchasers notified Mr. Humphreys that the real purchaser of the oil was the Continental Trading Co., of Canada, and asked that the contract be drawn in the name of that company.

Mr. Humphreys had never heard of the Continental Trading Co. and, because he knew nothing of its financial standing, he refused to enter into a contract for the sale of the oil to that company. Thereupon these men told Mr. Humphreys that they, on behalf of the companies which they represented, would guarantee the payment for the oil on behalf of the Continental Trading Co. The contract was then drawn in the name of the Continental Trading Co., and payment of the price of the oil by the said trading company was guaranteed by Sinclair, Blackmer, O'Neil, and Stewart.

At this time O'Neil was president of the Prairie Oil & Gas Co.; Stewart was chairman of the board of directors of the Standard Oil Co. of Indiana and still holds that position; Blackmer was chairman of the board of directors of the Midwest Refining Co., which was practically owned outright at that time, and still is, by the Standard Oil Co. of Indiana. Sinclair represented the Sinclair Consolidated Oil Corporation. This corporation, together with the Standard Oil Co. of Indiana (represented by Stewart), jointly owned the Sinclair Crude Oil Purchasing Co.

On the next day, November 17, 1921, Henry Smith Osler, an attorney of Toronto, Canada, appeared upon the scene and executed the contract as president of the Continental Trading Co., while Sinclair and Stewart, "for the directors" of the Sinclair Crude Oil Purchasing Co., and O'Neil, on behalf of the Prairie Oil & Gas Co., signed the contract as guarantors.

On the same day this fraudulent Continental Trading Co. assigned its contract and resold the oil it had thus contracted to buy to the Sinclair Crude Oil Purchasing Co. and the Prairie Oil & Gas Co. jointly. This sale was made at a profit of 25 cents on each barrel.

By the terms of the contract from Humphreys to the Continental Trading Co. payments for oil deliveries were to be made on the 15th day of each month; and by the terms of the contract wherein the Continental Trading Co. resold the oil to the Stewart, Sinclair, and O'Neil corporations payments were to be made on the 10th day of each month. It was therefore possible for this fraudulent Continental Trading Co. to get its money from the real purchasers of the oil five days before it was required to make payments to the man who produced and sold the oil.

Under this contract oil was delivered by Mr. Humphreys and turned over to the Sinclair, Stewart, and O'Neil corporations until some time in May, 1923, when the Continental, through its president, Osler, assigned its interest in its contract to the Sinclair Crude Oil Purchasing Co. At this time there were still 25,000,000 barrels of oil to be delivered, and the profit of the Continental Trading Co., at 25 cents a barrel, on this remaining amount of oil would have been at least \$6,250,000; yet Osler, on behalf of the Continental Trading Co., surrendered this contract to the Sinclair Crude Oil Purchasing Co. for \$400,000.

Immediately this fraudulent Canadian company went out of business. The company was formed the day the contract was made. It never had any capital. It never had any property except the profit on this oil contract. It never did any business either before or since this oil transaction. When it went out of business it destroyed its records and all its documents. It is worthy of note that it went out of business about the time the Senate investigation of the Teapot Dome oil leases was threatened. While it was in business its profit of 25 cents a barrel on this oil amounted to \$3,800,000. All of this money was deposited, under the direction of Osler, at the New York agency of the Dominion Bank of Canada and, under his direction, all of the money was invested in Liberty bonds of the United States Government. These bonds were, by this Dominion bank, then turned over to Osler.

In the trial of the Sinclair and Fall cases \$230,000 of these bonds were traced to Mr. Fall. The balance of the bonds have never been accounted for; and the principal object in directing the committee to continue the investigation is to determine what became of the remainder of those bonds.

Upon the trial of the civil suit to recover Teapot Dome the Government counsel obtained a commission from the United States district court to take Osler's testimony in Canada. When he was put on the stand he refused to testify on the ground that he was attorney for the Continental Trading Co. and its officials and that all the information he possessed was privileged. He was thereupon cited for contempt of court and on December 13, 1924, Justice Riddell, of the Supreme Court of Ontario, delivered judgment against him, ordering him to testify. Osler then appealed to the appellate division of the Supreme Court of Ontario and a hearing was then had on the 11th of February, 1925; and on March 12, 1925, the appellate division of the Supreme Court of Ontario rejected Osler's plea and ordered him to testify.

It may be worth while in passing to say that the appellate division of the Supreme Court of Ontario passed on the question on the 12th of March, 1925, just 29 days after the matter had been submitted to it. I mention that to show how expeditious justice seems to be across the line as compared to the manner in which it is dragging along here for months at a time to find out whether or not somebody may be in contempt of court. In Canada the question went clear to the appellate division of the supreme court in less than 60 days and the court rendered a decision.

In the meantime, while this case was pending, Osler left Canada. After he had appealed from the court to the appellate court he left Canada and went to Egypt, it is alleged, on a lion hunt. It was therefore impossible to carry out the order of the court. He never returned until the case was disposed of, when his testimony, of course, would be of no value.

Also in the meantime Blackmer and O'Neil left the country and went to France. Senators will remember that they were the representatives of the oil corporations that really bought the oil and which had guaranteed the payment for the oil to Mr. Humphreys, the man in Texas who sold the oil. Of course, in view of the absence of Blackmer and O'Neil it was impossible for the Government to get their testimony. Stewart, who represented the Standard Oil Co. of Indiana, also left the country and went to South America. Stewart came back later and said he did not know that they had been hunting him, as they had been all over the United States trying to get him on a subpoena; that he was down in South America on some oil business.

Blackmer and O'Neil are still in Europe and it is supposed that they will remain there perhaps for the balance of their

lives, the Government, of course, being unable to get their testimony.

Both the Supreme Court of Ontario and the Supreme Court of the United States have branded the Continental Trading Co. as a corrupt and fraudulent instrumentality for the commencement of some illegitimate purpose. The Supreme Court of the United States said:

The creation of the Continental Co., the purchase and resale of contracts enabling it to make more than \$8,000,000 without capital, risk, or effort; the assignment of the contract to the resale purchasers at a small fraction of its probable value, and the purpose to conceal the disposition of its assets make it plain that the company was created for some illegitimate purpose. \* \* \*

The record shows \* \* \* that the Government, notwithstanding the diligence reasonably to be expected, was unable to obtain the testimony of Blackmer, O'Neil, Stewart, Everhart, or Osler in respect of the transaction by which the Liberty bonds recently acquired by the Continental Co. were given to and used by Fall. \* \* \*

Mr. President, I will not take the time to read it, but I should like to have inserted in the Record a letter which calls attention, it seems to me, to several important items.

The Standard Oil Co. of Indiana is involved in this transaction. If in this deal, which was made in New York, the representatives of these oil companies who bought oil of Humphreys themselves and then used this trading company to transfer it to their company were honest and really bought it, they were cheating their own companies, and the Standard Oil Co. of Indiana was one of the victims as well as the Sinclair company and O'Neil company. In other words, the officials of these companies were buying oil at \$1.50 a barrel and selling it to their own companies at \$1.75 a barrel, and they were using this fraudulent corporation as a go-between to make the transfer. So that the stockholders of each one of these companies, assuming that this transaction had not some other ulterior purpose, were being robbed by their officials, and among the number comes the Standard Oil Co. of Indiana, owned to a great extent, I am informed, by Mr. Rockefeller and the Rockefeller Foundation.

I have a letter written to me by Mr. Green, of Chicago, Ill., referring to that, and I ask unanimous consent to have it printed in the Record as a part of my remarks.

The PRESIDING OFFICER (Mr. ODDIE in the chair). Without objection, it is so ordered.

The letter is as follows:

CHICAGO, December 1, 1927.

HON. GEORGE W. NORRIS,  
Washington, D. C.

DEAR SENATOR: In these times when such unconscionable efforts are being made to shield the criminals in the Teapot Dome oil case and make it appear that it is the officials of this Government who are the ones responsible for jury tampering, is it not well to consider that the interests which would have been the most benefited had our Government been unsuccessful in recovering its own property are the ones who are supplying the funds to protect the oil criminals in this country as well as paying others to remain away from the country?

The decision of the Supreme Court links together in a chain of evidence that can not be broken the Standard Oil Co. of Indiana, with the Sinclair company in their united attempt to rob the Nation of its Teapot Dome deposits of oil set aside by Congress for the defense of this country.

The Standard Oil Co. of Indiana has authoritatively proclaimed through its advertisements that the Rockefeller Foundation is the largest stockholder in the Standard Oil Co. of Indiana and that the three largest influences in that company are the Rockefeller Foundation, the employees, and the General Education Board.

The decision of the United States Supreme Court declares that the Standard Oil Co. of Indiana and the Sinclair Consolidated Oil Corporation own, share and share alike, the Sinclair Pipe Line Co. and the Sinclair Oil Purchasing Co. and that the performance with the Continental Trading Co. of Canada, which was created for some illegitimate purpose, was guaranteed by Robert W. Stewart, chairman of the board of directors of the Standard Oil Co. of Indiana, and Sinclair, chairman of the board of directors of the Sinclair oil organization.

The decision of the United States Supreme Court also cites the departure from this country for Europe in 1924 of H. M. Blackmer, of the Midwest Refining Co., a subsidiary of the Standard Oil Co. of Indiana, and James O'Neil, of the Prairie Oil & Gas Co., and the absence from American jurisdiction of Robert W. Stewart, of the Standard Oil Co. of Indiana, at the time of the trial of the case in Cheyenne, Wyo.

The Rockefeller Foundation professes to be an organization established with the chartered purpose to promote the well-being of mankind throughout the world, and that its charter is a pledge of limitless

faith in the power of progress, in the triumph of good over evil, of education over ignorance, of brotherly love over selfishness.

And yet in the face of these sublime sentiments the Rockefeller Foundation, with John D. Rockefeller, jr., the chairman of its board of trustees, seems never to have made an effort to have the industrial organization which it controls restore the Teapot Dome deposits of oil to this Government, where they belong, but rather have the officials of the foundation, by their inaction and apathy, invited a suspicion that they hoped the Standard Oil Co. of Indiana and its confederate might be able to retain the spoil of their attempted banditry and that it is disappointed at the result.

What a deplorable case of covetous greed and hypocrisy, of corruption, collusion and fraud, of disloyalty to this country has been exposed by the United States Supreme Court.

Why should not John D. Rockefeller, jr., chairman of the board of directors, and George E. Vincent, president of the Rockefeller Foundation, be subpoenaed by the Government or the Senate committee and be questioned regarding the disposition of the \$8,000,000 transaction in the Continental Oil deal and the scandalous activities of Stewart and other subordinate officials in the Standard Oil Co. of Indiana, the control of which appears to be vested in the Rockefeller Foundation, the Rockefeller Educational Bureau, and the employees of the Standard Oil Co. of Indiana? Why prosecute the tools and dummies and let the principals behind the scene remain unmolested?

Yours very truly,

A. W. GREEN,

*7/4 Board of Trade, Chicago, Ill.*

Mr. NORRIS. Mr. President, I believe that is all I have to say, and I am much obliged to the Senator from Mississippi for yielding to me.

#### THE TARIFF AND AGRICULTURAL RELIEF

The Senate resumed the consideration of the resolution (S. Res. 52) submitted by Mr. McMASTER, favoring a reduction of tariff schedules and the consideration of tariff legislation at the present session of Congress.

Mr. HARRISON. Mr. President, it was a pitiable spectacle yesterday to see the distinguished Senator from Utah [Mr. Smoot] standing in his accustomed place speaking in behalf of the protected interests of this country and trying to defend the nefarious provisions of the present tariff law. It drew even from my warm-hearted Democratic breast some sympathy for the distinguished Senator, because all through his address his former fellow conspirators in crime deserted him and he took refuge by reading to the Senate resolutions which had been adopted by the United States Chamber of Commerce, composed in large measure of distinguished bankers and manufacturers of the country, which resolutions expressed views contrary to his, even going to the extent of saying that the tariff should be revised so that agriculture might be lifted and be placed upon an equality or at least a partial equality with the manufacturing industry. Then he took occasion to criticize the American delegation to the Economic Conference at Geneva because their work was contrary to his views touching this matter. He stood there forlorn, though, defending the old bill and old system, like the boy who stood upon the burning deck, "whence all but him had fled."

I am sorry that the distinguished Senator from Utah is not now in the Chamber. He probably will wend his way in a moment. He took umbrage at the Senator from South Dakota [Mr. McMASTER] yesterday because the Senator from South Dakota left the Senate Chamber for about 10 minutes during that four-hour speech. He forgot that about the only person who did listen to all of the speech happened to be in the galleries and went crazy during the discourse. The poor fellow even yelled "Murder." But the Senator probably will return in a moment. It was perfectly natural that he should have read from the message of the President of the United States both to the Chicago congress and to the American Congress as to the importations of agricultural products and the benefits that agriculture received from this system.

The distinguished Senator from Utah, when he has a lucid interval, is sometimes right; but the trouble is that he does not stand long enough in one place. I recall, and other Senators recall, that last fall we read in the papers that the distinguished Senator from Utah visited Washington and gave out to the press a statement in which he said that the American people were entitled to share in these large surpluses that had been accumulated from the exactions of the Government from the taxpayers of the country, and that he would exercise his high position as chairman of the Finance Committee of the Senate in seeing to it when the Congress convened that they should be given immediate tax reduction, and the reduction would be higher than the amount that Mr. Mellon had said the Treasury would stand; that he was in favor of going higher than any \$250,000,000.

We had some hope then that perhaps we would get some relief from these burdens of direct taxes; but some weeks after that the Senator again visited the Secretary of the Treasury, and he had a confab with him, and he came out and gave to the press another statement in which he said, "No; we can not pass a bill carrying a larger amount of reduction than that recommended by the Secretary of the Treasury. We must confine our work in tax reduction to \$250,000,000." He still held to the view, however, that this surplus had been piled up through the exactions of the Government from the taxpayers, and that immediate tax reforms should be entered upon by the American Congress when we convened in December.

The Senator, however, is still on speaking terms with the Secretary of the Treasury; and the other day he had another conference with him. Then he came out and said that now the Secretary and he are agreed that there should be no tax reduction until after the 15th of March; and this morning I read with amazement in the papers that this same distinguished leader says that they have the votes in the Finance Committee to prevent the Democrats from bringing it out and giving an immediate reduction to the American taxpayer; so he is rather inconsistent in his position. Little wonder that yesterday he, and he alone, would speak a word in defense of the duties written in behalf of the Aluminum Trust. Mr. Mellon, you know, and his family dominate that suffering concern.

Mr. President, "Truth crushed to earth shall rise again." Facts will tell. It was a beautiful and a roseate setting that you gentlemen over there constructed in 1921, when you steered to passage the emergency tariff bill. All the ills of the farmer were to be cured in the pages of that law. No longer was depression to confront him. No longer were hardships to handicap him and adversity to advance upon him. The cure had been found, and the remedy was to be applied, and through its soothing application all irritation was to be removed, and a recurrence of the disease made impossible.

Ah, what a beautiful rainbow, with all the radiant colors, did you stretch across the heavens presaging hope to the American farmer! Through the duties in that bill you made beds throughout the fields of agriculture that the farmer might rest his weary head and recline his tired body. His fields were to become verdant with plenty, and his prices were to soar to high heaven. To the farmer the old moon seemed to shine more softly and the sun more gently. In your work at that time, however, you were only applying an anesthetic to him that you might perform a major operation on him in the next Congress, when you intended, and you did, to pile higher tariff duties against him and for the protected manufacturers of the country.

But the farmer soon came out of his coma. He soon saw that a job was being put up on him. The man in the moon began to wink his eye, and the old sun got angry and hot under the collar. He saw the rainbow of hope and anticipation disappear and fade from his view. Those roseate beds upon which he laid down to rest his tired and depressed body soon became hard and uncomfortable. The trap that you had prepared had entrapped yourselves. Those wonderful fields, so verdant with promise, that you told him about began to grow up with the weeds of retaliation, cockleburbs of entanglements, and the thistles that pricked him on every side. It was not long, sirs, until the skies became overcast—at first clouds no larger than the hand made their appearance and day by day they have enlarged, until now a storm threatens and a downpour of condemnation awaits you in the coming election. The trap you fixed has entrapped you. The gun you loaded has recoiled upon you.

The farmer sees now, as never before, what the iniquitous protective-tariff system, with all its discriminating influences, does for him. He understands now, as never before, that you can not through artificial measures give protection to this and that and work equality to all the industries of America. It will not do. Too much depends upon the consideration. The farmers of the country can not compete with the bloated special interests. Then, too, the law of economics will not permit it. Long have those who believed as I believe prophesied that the time would come under such a system when the purchasing power of those highly protected industries would soar high, while that of agriculture would decline until the difference would become apparent to everyone. And yet my friend from Utah on yesterday said that there was no difference between the farmer's dollar and the manufacturer's dollar! He really believes that. Why, he said that talking about differences in exchanging of the product of the farmer for those things that the manufacturer produces was out of the question.

Before I finish I expect to show the purchasing power of the farmer's dollar when compared to the manufacturer's dollar,

and how small is that which may be received by the farmer when he takes his products to the market and exchanges them for some of the things that it is necessary for him to buy.

What do the facts show? And when I talk to-day I am not talking along Democratic principles. I know there are men on the other side of the aisle who believe just as strongly as I do that this system of protection has enriched one class while it has pauperized another class. I know of no legislation that has been presented to the American Congress that I regretted being unable support more than the legislation proposed by the distinguished Senator from Oregon [Mr. McNARY], known as the McNary-Haugen bill. I wanted to support anything that might help the farmers; and unless this system can be changed by the American representatives as it is now upon the statute books, I do not know, my friends, but that I shall vote for the proposition. I was against it because I was afraid it might perpetuate this iniquitous tariff system upon the country. Of course, the tariff was not written into its pages, but it was the tariff that made it possible for you to lift the prices as you sought to do.

While I could not support that measure, I welcome the resolution of the distinguished Senator from South Dakota [Mr. McMASTER]. I believe much support for it will come from the other side, because I know how truly those who are working with the Senator for the passage of the resolution represent the wishes of that great section of the country that has seen its purchasing power go down while that of the manufacturers of the country has gradually climbed higher. I am not so much interested in the particular wording of the resolution. If you want to change it so as to stand for revision of the tariff downward from the general tariff levels now upon the statute books, that is all right; but if you want to leave it as it is, for the lowering of tariff duties, it meets my viewpoint.

I know that the Senator from South Dakota did not intend by his resolution to favor the lowering of the tariff duties on every article. He was only striking at the whole tariff system as it is now on the statute books, and he wanted the Committee on Ways and Means of the House and the Finance Committee of the Senate so to draft it as to carry out the general idea of a tariff revision downward. To put it merely "tariff revision" would not suffice, because I recall, and you recall, that in one of the memorable campaigns in this country a distinguished candidate for President who now adorns the Supreme Court of the United States said, following the enactment of the Payne-Aldrich tariff law, that he construed "revision" not to mean "downward" but "upward."

But, Mr. President, let us look at the cold facts in this situation. Let us analyze the ad valorem duties upon these agricultural products that were placed in the emergency tariff and incorporated in the main in the general tariff law, and then see how they compare with the ad valorem rates carried on many of the things that the farmer buys.

Mr. President, I do not assume that the rates on agriculture in the present law protect agriculture. I believe that the whole scheme was a delusion and a snare. I knew, when it was written, that it would not work. The distinguished gentlemen over there who sponsored the measure and who sit before me now knew it would not work; but they were willing to offer the sop to the farmers of the Middle West and the West in the hope that they might continue to keep them within the folds of Republicanism.

My friend from Indiana, Senator WATSON—

Mr. WATSON rose.

Mr. HARRISON. I yield to him.

Mr. WATSON. Is the Senator aware of the fact that the agricultural schedules of the present tariff law were largely framed by the heads of the Agricultural Department as represented in the city of Washington, and that after they had been formulated they were carried to those heads and approved practically without a single dissenting voice on any one of the items involved?

Mr. HARRISON. That does not contradict anything I have said, may I say to the Senator, and I hope he will just restrain himself a little while and give me the benefit of his smiling countenance, and I shall convince him that it does not have any effect upon me.

Mr. WATSON. No; I imagine not.

Mr. HARRISON. Not a bit in the world. I believe in certain principles, and because some one else takes the opposite view it does not change my allegiance to those principles. I am going to read to the Senate the differences and compare the rates on agricultural products which the Senator and his colleagues imposed with the ad valorem rates on manufactured products. I said that that was a paper comparison. That does not mean an actual comparison, because it is impossible to

compare them. The Senator from Indiana knows that it makes no difference what tariff duties you may impose upon cotton of the short-staple variety, it could not possibly affect the price of it.

The Senator and his colleagues know that distinguished leaders of the Republican Party have always said that the tariff on wheat did not affect the price of wheat. Let me read for the Senator's edification, that the RECORD may still contain them, some expressions of some very distinguished leaders of his party who have made that contention, although you placed this high duty upon wheat and the President, in his generosity and his ambition at the time—because then he chose to run again—still lifted the price of wheat. But, unfortunately, from that time on in most instances the price of wheat on quotations in Winnipeg has been higher than either at Minneapolis or Chicago.

The Senator does not contradict that proposition. For nine days after the emergency tariff law had been signed by the President wheat went down 9 cents a bushel. Yet they tried to make the farmers of the great Northwest believe that they were going to cure all their ills.

I do not know how to get along without my friend from Utah [Mr. SMOOT] in his seat. He was on a commission back in 1907, a commission appointed to investigate this whole agricultural situation from the standpoint of the tariff. He served on that commission with the late distinguished leader of the majority side of the Senate, Senator LODGE, and other distinguished Republicans. Also on that commission was the last chairman of the Finance Committee of the Senate before the Senator from Utah, Senator McCUMBER.

These are the men who made up that commission in 1907: Senator GALLINGER, Senator LODGE, Senator CRAWFORD, of South Dakota, Senator SMOOT, of Utah, and Senator McCUMBER, of North Dakota. They said in their report:

The tariff on the farmer's products, such as wheat, corn, rye, barley, cattle, and other livestock, did not and could not in any way affect the prices of these products.

My friend from Utah can read that in the RECORD to-morrow. Our late friend, the distinguished Senator from Iowa, Mr. CUMMINS, stated, in answer to a question, that he did not believe that the tariff affected the price of wheat, and said:

It is idle for even an enthusiast to assert that the price of these products is directly affected by the protective tariff.

Mr. Bristow, then a Senator from the State of the next Republican nominee for President—not even that suggestion awakes the Senator from Kansas [Mr. CURTIS] from his slumbers—said:

We raise far more wheat, corn, cattle, and hogs than we consume, and the result is that the farmer can not be protected by a tariff because the price of his produce is fixed by the world market.

Senator NELSON, of Minnesota, expressed this view in reference to the matter:

I do not recall the millions of bushels produced in the State of Minnesota, but I desire to tell the Senator that the tariff on wheat, which is on the statute books, has not done us a particle of good. It would be like a tariff on cotton, because up to this time we have been exporting from 150,000,000 to 250,000,000 bushels of wheat a year. The price of our wheat is fixed by the Liverpool price—the export price—and no duty up to this time has helped us.

The fact is, Mr. President, that only on one kind of wheat—that is, No. 1 northern spring wheat—can the tariff duty have any effect at all. That particular kind of wheat, experts tell us, is mixed with other kinds of wheat in the making of certain kinds of flour, and to some extent that grade is imported, when there is not enough of that grade of wheat in the Dakotas, in Minnesota, perhaps, and in Montana; but that is only a small percentage of the great bulk of wheat in this country.

Mr. WATSON. Mr. President, will the Senator yield?

Mr. HARRISON. I yield to the Senator.

Mr. WATSON. Do I understand the Senator, then, from his argument, to take the position that we should at once repeal the tariff duties on all agricultural products?

Mr. HARRISON. I did not say that. The Senator certainly did not understand me to say that.

Mr. WATSON. If the tariff is of no earthly avail, and does not help in any respect, or one particle, why have it?

Mr. HARRISON. The Senator did not rise to contradict what these distinguished Senators said with reference to this matter.

Mr. WATSON. I am not interested in that. That was 18 years ago. I am interested in the Senator. What does he think?

Mr. HARRISON. The Senator should accept their views. They were, and some of them still are, leaders of his party. I would so adjust the tariff rates, if I could write a bill, that if of this particular kind of wheat there was some imported into this country, and we could raise some revenue and could lift it to a competitive basis—and we could—I would put a tariff on that particular kind. I would look with the greatest particular favor on the products of the farmer that could possibly be benefited by the tariff, so that I could help to lift the farmer's products to a parity with the protected products of the manufacturers of this country. The Senator knows I am trying to show to him that these paper rates on agricultural products are merely on paper, and do not, practically speaking, bring the benefits he talks about.

Mr. WATSON. Will the Senator yield for another interruption?

Mr. HARRISON. I do.

Mr. WATSON. The last Democratic revenue tariff law passed—the Underwood-Simmons law—gave practical free trade on all agricultural products, and in one year thereafter there was brought into the United States a total of agricultural products of \$350,000,000, in that single year, more than in the whole four years under the preceding tariff administration. Does the Senator hold that that was for the good of agriculture in the United States?

Mr. HARRISON. The trouble about the Senator is that his mind has been on other propositions and he has not looked at the facts lately. He is a little wrong on the facts, and I am going to give them to him before I have finished with that particular proposition.

Mr. WATSON. I will be very glad to have them.

Mr. HARRISON. So far as wheat is concerned, I have stated the situation. Let us take corn, on which they put their tariff rate. We raise in this country over 2,000,000,000 bushels and import into it about 1,000,000 bushels a year. We export ten times as much corn as we import. No one can contend that the tariff on corn helps the corn farmers of this country.

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

Mr. HARRISON. The only kind of corn that is imported is some that comes to the Pacific coast, of a character that is not produced in this country. I yield to the Senator from Minnesota.

Mr. SHIPSTEAD. I want to call the Senator's attention to the fact that we produced very nearly 3,000,000,000 bushels of corn last year. In 1926 we imported 1,055,000 bushels.

Mr. HARRISON. I thank the Senator for the correction.

Mr. SHIPSTEAD. And that corn that is imported, I would like to state to the Senator, is imported for chicken feed, because it is of a small kernel, coming from Argentina.

Mr. HARRISON. And we exported many times more than we imported of corn in this country. So you can take these duties placed upon agricultural products in the most instances and you will find they are not effective at all.

Mr. FESS. Mr. President, will the Senator yield?

Mr. HARRISON. I yield.

Mr. FESS. The American Farm Federation has just presented the case for an increase of the tariff on corn.

Mr. HARRISON. I am not surprised at that. It is made up of Republicans for the most part.

Mr. FESS. The American Farm Federation?

Mr. HARRISON. I thought the Senator said the Tariff Commission.

Mr. FESS. Oh, no; it is the American Farm Federation.

Mr. HARRISON. I think they are wrong, that is all. Does not the Senator think they are wrong about it?

Mr. FESS. The Senator does not think they are wrong.

Mr. HARRISON. The Senator does not? He thinks that where we produce 3,000,000,000 bushels of corn in the United States and import a million bushels, and when we export billions, we still ought to have a tariff on corn, that it helps somebody? That is his idea of the proposition? When for me it does not make any difference. The tariff on corn is ineffective one way or the other.

\* Mr. President, in the ad valorem rates upon these products corn got a 16 per cent ad valorem duty, hogs about 5 per cent, cattle 32½ per cent, wheat 31 per cent, potatoes 22 per cent, oats 31 per cent, apples 12½ per cent, barley 27 per cent, rye 14 per cent, and on down the line. Let me read, in comparison with those paper duties, the ad valorem rates upon some manufactured products. Let us see how they compare.

Woolen manufactures: The ad valorem is 61 per cent.

Cotton manufactures: The ad valorem is 47 per cent.

Silk manufactures: The ad valorem is 60 per cent.

Metals: The ad valorem is 49 per cent.

Pottery and earthenware: The ad valorem is 60 per cent.

Those are some of the things that the farmer buys, carrying these high ad valorem rates, from 50 to 60 per cent, and more, while your little paper rates on agricultural products range down as low as 5 per cent ad valorem.

That is not all, Mr. President. Here are some of the increases in the present law that affect the agricultural interests of this country. The factory value of chemicals in this country is approximately \$630,000,000. Chemicals are a serious cost factor in textiles, leather, steel, and other industries, yet most of the rates on acids are practically prohibitive, and such articles as potassium compounds, sodium compounds, flavoring extracts, lead compounds, and calclums, are so heavily taxed that approximately only \$20,000,000 worth subject to duties under the chemical schedule are imported annually. While paints and colors and pigments carry duties averaging as high as 32 per cent, and the factory value of the domestic output approximates \$400,000,000 annually, we import only about two and a half million dollars' worth annually. Our exports range around \$15,000,000 of that item alone.

Soap is taxed 30 per cent, with a value of production in the United States approximating \$300,000,000 annually. Seven and a half million dollars' worth only is exported annually, and the tariff is so high as to permit \$550,000 worth of importations annually.

Iron and steel products: The distinguished Senator from Utah told the Senator from South Dakota yesterday that he could not point out anything that cost the farmer more by virtue of this proposition. Iron and steel products are a large cost factor in practically every industry in America. Coal and iron are the two great basic commodities which underlie all industry. In the face of these facts we now find the tariff restored on pig iron, steel rails, and all the alloys, and most other materials. Although the United States produces 60 per cent of the world's pig iron and steel, the new tariff on pig iron and iron in slabs and blooms was raised to as much as 36 per cent. I shall not continue down the line. The iron and steel schedule shows imports of \$26,000,000 and revenues of only \$7,500,000 annually.

There is an average ad valorem tariff duty of 29 per cent on these items, yet the total exports of steel and iron products is \$221,000,000 annually, and the value of iron and steel products in the United States is \$7,000,000,000. Every product that the farmer buys into which iron or steel enters is increased in cost to the farmer by virtue of the rates imposed under this law.

Let us take earthenware. The farmers buy that. Duties were heaped on the crude materials from which earthenware is made, such as magnesite and graphite, and they were taken from the free list and placed upon the dutiable list, making earthenware cost more to the American farmer in every product made from that particular material.

Glass and glass products were increased, affecting the cost of every article in which glass enters. Every goblet and pane of glass the farmer buys is increased in price by virtue of the tariff. The great automobile industry of the country needs glass, and every time we increase the price of glass to them we increase the cost of the automobile to the American farmer and to every automobile user in the country.

Sixty-two million dollars' worth of jute bagging and cordage and manufactured flax and hemp was imported to this country. These articles were taken from the free list.

In the matter of linoleum, some farmers like to have linoleum to put upon the floor in their kitchen or their dining room, or maybe even in their parlor or sitting room, and yet there was a high tariff put on linoleum when the domestic production of it is \$52,000,000 annually.

In the matter of silk manufactures, of course, those gentlemen who wrote this law do not believe that a farmer's wife should have anything made out of silk, that that sort of thing must be left to those who are more fortunately protected in the great manufacturing interests of the country. The importations of silk manufactures were \$36,000,000, notwithstanding the great increase in silk consumption in the United States. The principal silk fabric comprising silk manufactures comes in at 55 and 60 per cent ad valorem. Importations of silk wearing apparel were only \$8,000,000 annually. The factory value of silk in this country is \$800,000,000. It is manifest that this great class of luxuries, retailing at \$1,000,000,000 to \$1,250,000,000 annually, should pay more than \$17,000,000 in revenue to the Government.

These are some of the things that make the task of the farmer hard; that make his cost of living high. Ah, but the President of the United States, as quoted yesterday by the Senator from Utah, said that over \$780,000,000 of importations into this country affected the farmer, that duties upon dutiable

farm products amounting to \$780,000,000 worth came into this country that go to benefit the American farmer. What does he include in that list? Among other things he included sugar. Sugar! One man on the Tariff Commission was practically discharged and sent as minister to Rumania because he stood for a reduction of the exorbitant rates on sugar. If there is one thing that is costing the American people millions and millions of dollars it is the high rates on sugar. There are certain products which are raised by the farmer which, when they are imported into this country, benefit the farmer to the amount of the tariff that is imposed. Sugar is one of those propositions, but it does not benefit all the farmers. It does not benefit the cotton farmer, and there are some 12,000,000 of them. It does not benefit some 8,000,000 or 9,000,000 of wheat farmers in the country. They all buy sugar. It does not benefit the tobacco growers, who are farmers. It does not benefit the corn farmers, and there are some 15,000,000 to 20,000,000 of those in this country. But the 150,000, or possibly a few more, of sugar producers, either of sugar cane or sugar beets, are benefited to the extent of the tariff imposed on sugar.

And so when the President was talking about these large amounts of importations in agricultural products he included tobacco, sugar, and wool. What a very small percentage of the American farmers are interested in wool. Every time a tariff rate on wool is raised, it naturally causes the price of those things from which wool is made to be raised to those farmers who are not producing wool. The same is true of sugar. So far as the tobacco farmer is concerned, he is very small in number, there being not over 150,000 who raise tobacco. Those who are reporting the raising of tobacco are engaged in the production of other products.

So the large importations of which President Coolidge spoke as amounting to \$780,000,000, in which the farmer is interested and by which he said the farmer is benefited, do not really benefit him. If he would segregate the small number benefited by the sugar tariff, if he would segregate the small number benefited by the tobacco tariff, he would see the inequality of the proposition compared to the great number of cotton farmers in the country whose products increase in price by virtue of those rates, and the great number of wheat farmers in the country whose products are increased by those rates, and the 15,000,000 or 20,000,000 of people interested in corn production in the country who must pay the higher prices for those products. And as to the tobacco farmers, they get no protection from the duties on tobacco. The only kind of tobacco imported are the kinds not raised in this country. Our own tobacco growers have a monopoly on our home market.

Yesterday the Senator from Utah [Mr. Smoot] said if we would lower the tariff 10 per cent on everything it would affect the revenues of the Government. Mr. President, there are certain products imported into this country which, I do not care how high may be the duty placed upon them, have no effect. If we placed a duty of a dollar a pound on short-staple cotton, we could not affect the price of cotton. We look to the markets of the world to sell our surplus cotton. If we placed a duty of a dollar a bushel upon wheat, only when we had a depressed condition in Montana and in the Dakotas, when the farmers of that section failed to produce a sufficient amount of No. 1 northern spring wheat and an adequate surplus of it could be had in Canada, would it affect in the slightest the price of wheat in this country? If we put a duty of a dollar a bushel upon corn, we could not possibly affect the price of corn. The same is true of hay, rye, and similar products. It is not so true with reference to rice, because we import some rice and wherever we import a product and lay a duty upon it, it does to some extent incidentally give some protection to the producers of that particular product. But the number of rice farmers is only 11,476 in the whole United States.

Mr. President, I submit, under the rates which I have read, carried in the present law on the manufactured goods of this country, comparing them with the small paper protection that is given to agriculture, that there can not be an equilibrium established between those two great industries. If it is maintained long the farmer can do nothing except to leave his farm, go out of the farming business, with all the consequences that will inevitably follow from such a condition.

The distinguished Senator from Utah [Mr. Smoot] on yesterday—and it was hinted by the Senator from Indiana [Mr. Watson] a moment ago—spoke of the large amount of importations coming into this country in 1920 and 1921. The Senators forgot to state that there were very large increases in exportations during those times. It is quite true that importations in 1921 over 1920 showed an increase of \$619,000,000. That is true. But, Mr. President, the amount of increased importations

was in raw materials which came in at that time. The amount of increase in manufactured products which came in during 1921 over 1920 was only \$44,000,000, and during the year the Senator spoke of we exported \$1,000,000,000 more of manufactured products that we imported into the United States. If the Senator will take into consideration what Mr. Hoover said in his reports on two occasions, that the increased importations "were due to the advanced prices at that time," he would have a different idea about the situation. The Senator knows, though he might not rise in his place in the Senate and say it, that a dollar before the war bought more than it did in 1920 or to-day. So the value of things are higher. So if we take the value of importations before the war and compare them with 1920 and 1921, we find there is practically no difference in the amount of importations into this country.

Talk about importations! That is not the key to the situation. The success of the tariff system is revealed in the balance of trade which is shown between the exportations and the importations into this country. Give us a tariff system that will bring \$2,000,000,000 worth of gold into this country annually over one that only shows a difference of \$200,000,000 or \$300,000,000 between exportations and importations.

The success of the system which the Senator from Utah has perpetrated on the country has been mentioned. Mr. President, I want to read to him from the reports showing that under his system this law has not worked so beautifully in the interest of this country.

Take the year 1923. The Republican majority had placed this law upon the statute books, and yet what were the exportations and importations of agricultural products during that year? To hear the Senator from Utah [Mr. Smoot] and the Senator from Indiana [Mr. Watson] speak one would certainly think that under the benign influence of this system the exportations of agricultural products were more than the importations into this country, and yet what are the facts? Let me drill them into the minds of Senators on the other side of the Chamber. In 1923 the exports of agricultural products were \$1,799,000,000.

Mr. WATSON. Is the Senator referring to the fiscal year or the calendar year?

Mr. HARRISON. To the fiscal year.

Mr. WATSON. The year beginning with June, 1923?

Mr. HARRISON. I am referring to the fiscal year 1923. These figures I am quoting were furnished me by one of the authorized agencies of the Government.

Mr. WATSON. Are the figures for the year beginning June 30, 1922, or June 30, 1923?

Mr. HARRISON. I think on reflection that these figures are for the calendar year 1923, but I do not care whether they are for the calendar year or the fiscal year. The Senator from Indiana is employing his usual talent when he is driven to the wall of trying to confuse the issue.

Mr. WATSON. The only difference is—

Mr. HARRISON. Whether the figures are for the fiscal year beginning on the 1st of July, 1922, or on the 1st of July, 1923, or for the calendar year beginning on the 1st of January, 1922, or the 1st of January, 1923, I do not care.

Mr. WATSON. Of course, the Senator would not care—

Mr. HARRISON. No.

Mr. WATSON. Because he is not paying much attention to the facts; but what I am trying to get into the Senator's mind—

Mr. HARRISON. The difficulty is that I get my figures from one of the authorized agencies of the Government, while the Senator from Indiana takes his figures from his own head. That is the reason that I am usually right and he is always wrong.

Mr. WATSON. May I say to the Senator from Mississippi something I have got in my head that I want to transfer to his?

Mr. HARRISON. Very well; I hope the Senator will "shoot" it.

Mr. WATSON. I shall be very glad to do so. The Senator from Mississippi is reading from figures for the fiscal year beginning on the 30th of June, 1922, and running to the 30th of June, 1923. Three months of that time were under the Underwood Tariff Act, because the Fordney-McCumber tariff law did not go into effect until the latter part of September, 1923. Not only that, but if the Senator from Mississippi will look into the history of all tariff acts he will find that before the new tariff rates go into effect there are always large importations, because people rush in to take advantage of the low tariff before the high rates are imposed. That is the universal history of tariff making in the United States, and that will account in part for the large importations to which the Senator calls attention.

Mr. HARRISON. Has the Senator from Indiana finished?

Mr. WATSON. I have.

Mr. HARRISON. Then, I am not going to give the figures for 1923. Let us take the year 1926. I think the present tariff law was in force then. How will that suit the Senator?

Mr. WATSON. Yes; it was.

Mr. HARRISON. Well, let us see about those figures. The exportations of agricultural products in 1926 amounted to \$1,891,000,000, while the importations were \$1,918,000,000—practically \$50,000,000 more of imports than of exports of agricultural products. Has the Senator from Indiana anything to say now?

Mr. WATSON. Certainly I have.

Mr. HARRISON. Of course, I knew the Senator would have.

Mr. WATSON. Certainly I have. I have to say, in the first place, that I understand the Senator's argument to be that the tariff on agricultural products is wholly ineffective and can not be made effective; and, in the second place, if the imports are interfering with American agriculture and an increase of those rates would make the tariff effective, then we ought to impose higher rates. I want to say to my friend that I am one of those who believe that wherein tariff is ineffective, if we can not make it effective as to agricultural products by the imposition of increased rates, then we should buttress the tariff by some such measure as the McNary-Haugen bill, so as to make those rates effective as to agricultural products, because I will ask my friend if he does not concede—and I understood him to say a while ago that he intended to support the McNary-Haugen bill—

Mr. HARRISON. I said if the Republican majority continued to carry on their nefarious practice of keeping present tariff rates in force, to the great disadvantage of agriculture, I might be forced to accept that proposition.

Mr. WATSON. There are a great many things I might say about that.

Mr. HARRISON. Yes.

Mr. WATSON. For instance, I will digress long enough to ask if the Senator from Mississippi did not vote against the imposition of every one of the agricultural rates which the tariff law imposes?

Mr. HARRISON. I opposed the emergency tariff bill, and with my small ability, but more enthusiasm, I likewise opposed the indefensible rates carried in the McCumber tariff law.

Mr. WATSON. The Senator opposed that?

Mr. HARRISON. I stood upon this floor for three weeks and opposed it for this reason, may I say to the Senator: I knew that he was applying the first dose to the farmers of the country so that he might perpetuate the obnoxious protective tariff system upon the country. I knew that when the Republican Party had succeeded in imposing these duties upon agricultural commodities, duties which the Senator said in many instances were but a sham and a fraud and he did not believe they would work—

Mr. WATSON. Oh, no; I said no such thing.

Mr. HARRISON. They had it in mind to come along with a major operation and give to the manufacturers a thousand per cent more protection than was given to the farmers. My position about that matter has always been consistent, I will say to the Senator.

Mr. WATSON. The Senator has always been absolutely consistent.

Mr. HARRISON. Yes.

Mr. WATSON. The Senator from Mississippi is the one free trader that I know in this body—

Mr. HARRISON. No; the Senator can not properly say that.

Mr. WATSON. I mean by that that the Senator is the one man—

Mr. HARRISON. The Senator has made this political speech so often that he is in the habit of saying that anyone who is a Democrat is a free trader, but the Senator can not find in any tariff law the Democrats ever enacted or ever wrote anything to indicate that it was a free-trade measure.

Mr. WATSON. Then the Democratic Party is not consistent.

Mr. HARRISON. The Democratic Party is consistent.

Mr. WATSON. It is not consistent because a revenue tariff essentially means free trade.

Mr. HARRISON. That statement shows the Senator's idea of a revenue tariff. The Democratic Party does not try to fool anybody in this country.

Mr. WATSON. The Senator knows just as well as that he is alive—and he is a pretty live citizen, I will say—that a revenue tariff means free trade in all competing products.

Mr. HARRISON. It does not mean anything of the kind.

Mr. WATSON. That is precisely what it does mean.

Mr. HARRISON. That is merely the Senator's view about it.

Mr. WATSON. However, I am not going into that discussion with the Senator. What I desire to come to is this: That the Senator voted against every one of the duties on agricultural products grown in this country.

Mr. HARRISON. I presume I did, and I voted against all of the exorbitant increases in duties which the Republican Party put upon manufactured products.

Mr. WATSON. The Senator voted against every rate imposed, so far as I remember, in the present tariff law, and now he turns around and abuses us and pours out the vials of his wrath upon our heads—

Mr. HARRISON. And you need it.

Mr. WATSON. Because in an effort to impose tariff duties satisfactory to all the agricultural interests as to their efficacy we did not put them high enough to exclude all foreign agricultural products, although the Senator was against imposing tariff duties on any agricultural product coming into this country from abroad. Now, who is in a better position on that proposition? We did our level best. When we passed that act we believed that those rates would prove effective; we had every reason to believe that they would do so because everyone interested in the question who came before us testified that those rates would be effective. We accepted their conclusion; we incorporated their suggestions in the bill, and many of them have proved effective, although some have not. Now, who is in a better position on that question—the Senator from Mississippi or the Senator from Indiana?

Mr. HARRISON. The Senator's conscience never hurts him about any legislative action which he may have taken, but if it ever did prick him it certainly ought to do so for his action in this instance. As for me, I am merely consistent in my attitude all the way through. I thought that it was a piece of hypocrisy, that it was a sham and pretense; I did not believe that the tariff on corn would be effective and it has proven not to be; I did not believe that the tariff on wheat would be effective and it has proven not to be; I did not believe the tariff on hay would be effective, and it has proven not to be.

Mr. McNARY rose.

Mr. HARRISON. I yield now to the Senator from Oregon.

Mr. WATSON. If I may be pardoned a moment, let me ask the Senator from Mississippi another question. The Senator voted against the rates imposed by the emergency tariff law?

Mr. HARRISON. Yes.

Mr. WATSON. Is it not a fact that the Tariff Commission itself found, and is it not the universal testimony of the farmers everywhere who have any knowledge of the subject, that the emergency tariff law actually saved the wool industry of the United States from destruction? Is it not further a fact that the rates imposed by the emergency tariff act greatly aided the dairy interests of the United States as well? What does the Senator say about that?

Mr. HARRISON. The Senator did not understand me. I have never said the tariff on wool was not effective; there is not any question about that, because we import wool every year. We do not produce sufficient wool in this country to take care of our consumption.

Mr. WATSON. But my friend from Mississippi voted against the tariff duty in that instance.

Mr. HARRISON. I did vote against it, and I would vote against it again. It was too high, and the benefits it gives to a small group did not begin to measure in the great disadvantages it worked upon so many more.

Mr. WATSON. Then, if it was effective, why did the Senator vote against it?

Mr. HARRISON. I would not put wool upon the free list. Wool is a revenue producer. A rate of duty much higher than the present rate could be put on wool and a great deal more revenue could then be raised from it, and, so far as that is concerned, on other items, such as sugar, greater revenue can be raised by virtue of the duty which is imposed because of the large importations that might come in during certain years.

Mr. WATSON. Yes; but the Senator voted against those duties either as protective measures or as revenue measures.

Mr. HARRISON. Yes; but I do not think the duty imposed on the wool saved the wool growers of the country. The Republican Party put a tariff duty on raw wool and then they allowed compensatory duties upon every item going into the finished woolen products, and thus allowed the woolen manufacturers to increase their prices to the innumerable millions of farmers that do not produce wool in this country. The wool schedule was arranged so that the duty upon finished woolen

products was about 50 per cent, I believe. Now, I yield to the Senator from Oregon.

Mr. McNARY. Mr. President, a parliamentary inquiry. Is there an amendment pending to the resolution now under discussion?

Mr. HARRISON. There is no pending amendment, as I understand.

The PRESIDING OFFICER (Mr. HOWELL in the chair). No amendment to the resolution is now pending.

Mr. McNARY. Will the Senator from Mississippi yield to me for the purpose of offering an amendment?

Mr. HARRISON. I yield.

Mr. McNARY. I move that the resolution be amended by striking out the word "lowering," in line 2, and inserting the word "revision," and also by striking out the words "embodying lowered schedules," in line 3. I thank the Senator from Mississippi.

Mr. COPELAND. Mr. President, will the Senator repeat his proposed amendment?

Mr. McNARY. I move to strike out the word "lowering" in line 2 and insert the word "revision," so that it will read "favors an immediate revision of the tariff schedule."

I move to strike out also the words "embodying lowered schedules"; so that if the resolution should be adopted as amended it would be a true expression of the sentiment which I believe exists in the Senate, namely, that there should be a revision either up or down. I myself feel that as to certain agricultural products there should be an increase in the tariff rates, and that in some instances, particularly as applied to the products of industries, there should be a lowering of rates. I wish to make the resolution liquid, so that it will meet every situation that might arise.

Mr. COPELAND. The Senator has made himself very clear, and I thank him for the explanation.

Mr. HARRISON. Now, Mr. President, as to the question of revenue, the Senator from Utah said that to reduce rates on everything 10 per cent would destroy the revenue. The rates of duty on sugar could be increased to 3 cents a pound and just that much more revenue could be raised. As a matter of fact, on three commodities which are imported into the United States annually in large quantities we derive over one-third of the customs revenue. From the duties on tobacco, wool, and sugar—those three items alone, we derive probably \$250,000,000 a year. It would be easy enough by an increase of duty upon those items to raise as great a revenue as is derived from the whole tariff schedule at the present time.

Reference has been made to the increased importations coming into the United States. I said a moment ago that that was not the true test. I assert that under the influence of the Democratic tariff measure passed in 1913 our condition was healthier, our exports were larger, our percentage of exportations of agricultural products over importations was greater than ever it has been under the system of Republican tariffs which has been in vogue.

More real benefit came to the people of the whole country under this Democratic legislation than could possibly come under this system, because it rather equalized matters. It did not create in this country a condition whereby the manufacturers might gradually extort profits from the farmers of the country, and build up the purchasing power of their dollar, while that of the farmer gradually went down.

I do not know that we can ever invoke a system that will place the purchasing power of the dollar of every industry upon a parity; but I do know that when you create here a system that guarantees to some manufacturers such privileges, that permits them to increase capitalizations, declare dividends, enlarge their operations, and increase the percentage of their production, you will eventually put them in a position where they can fix the price of their products to the farmers and everybody else in this country.

That is what you have done by virtue of your system. The tariff system is so arranged that it can not possibly work to the advantage of the great mass of the farmers in this country. It will not do it. You will have discrimination; you will have inequalities; you will have favored treatment to some industries as against others. The whole thing is too artificial. We can, however, by legislation try to maintain a parity; and what is desired by the distinguished Senator from South Dakota [Mr. McMASTER] and the distinguished Senator from Iowa [Mr. BROOKHART] and other Senators on the other side and those of us who are fighting for this proposition over here is not free trade, as some Republican Senators would have you believe. It is not particularly a tariff for revenue; it is not particularly a tariff on a competitive basis for which the Democratic Party stands; but it is for lowering the duties where the rates are now too high, and, if possible, on some items, if the

conditions warrant it, increasing the duties if they are not sufficient, but to bring about a condition that will equalize the situation as much as possible.

Let us try, if we can, to restore the purchasing power of the farmer's dollar. Let us make it as it was in the halcyon days of the Democratic law in 1914, when a farmer could take his five bales of cotton to the market and buy almost dollar for dollar in exchange those things that he needed; when the wheat farmer might go to the market with his 100 bushels of wheat and exchange them on an equal basis for the things he needed. Those are the facts in the case. It can not be done now.

Mr. President, let me read some ratio prices. My friend from Indiana [Mr. WATSON] smiles. I like to see him smile.

Mr. WATSON. Mr. President, the Senator must know, of course, that the large exports of agricultural products after 1913, of which he speaks, were occasioned by the war, and the enormous demand abroad. The Senator understands that as well as anybody else.

Mr. HARRISON. Oh, yes. Every time the Senator speaks, he gets into it. We were not in the war in 1913, however.

Mr. WATSON. But we went into the war later.

Mr. HARRISON. Oh, yes; we went into it later.

Mr. WATSON. The fact that we did not go into the war immediately had not anything to do with it. The war began within less than a year after this tariff became effective. The war on the other side began in July, 1914.

Mr. HARRISON. In 1913 the exports were \$2,484,000,000. The imports were only \$1,792,000,000.

In 1914 the exports were \$2,113,000,000. The imports were \$1,789,000,000.

But let me proceed further. Here is when we got into the war. Here is when the war began to tell.

Mr. WATSON. The war began in July, 1914.

Mr. HARRISON. Wait a minute. Facts speak more convincingly than the Senator's protestations.

Mr. WATSON. But the war began in July, 1914.

Mr. HARRISON. In 1915 our exports did rise, and during the next two or three years the war did affect the proposition—

Mr. WATSON. Certainly.

Mr. HARRISON. But not in 1913, and not in 1914.

Mr. WATSON. Why, certainly it did.

Mr. HARRISON. Those years were under normal condition.

Mr. WATSON. No.

Mr. HARRISON. We were not in the war. We were not influenced by it.

In 1915 our exportations rose to \$3,500,000,000, and our importations were only \$1,778,000,000.

In 1916 they rose further. Our exportations were four and a third billion, and our imports were practically \$2,000,000,000.

In 1917 it reached away up. Now the condition has come about on which the Senator was trying to prove as an alibi. In 1917 the exportations run six and a quarter billion dollars, and our imports were only two and a half billion dollars.

When we got down under the workings of the present system, however, then our balance of trade began to decline and decline, until we do not know now whether we have a balance of trade or not. It is very small, indeed.

In 1926 the importations were \$4,464,000,000, and the exportations were only \$4,753,000,000—a difference of \$300,000,000. That is what the Senator has done to us with the system that he has here. You have restrained international trade. You have closed the world markets to the farmers of the country, and they have been affected by virtue of it. You have not, however, slowed up the manufacturers' profits.

All you need to do is to read the history of the Aluminum Trust, and the dividends of some of the other manufacturers that my friend from South Dakota put in the RECORD yesterday. They have prosperity. If there ever was in this country a spotted prosperity, it is now. It exists only in certain industries in this country. Those industries are the ones that had a key into the back door of your committee rooms and a cord to the White House.

The importations of agricultural products as compared to the exportations of agricultural products from 1910 to 1926, inclusive, reveal that during the operation of the Underwood law the excess of exportations over importations ranged from \$200,000,000 to \$400,000,000. The figures show that the first year following the passage of the McCumber tariff law, 1923, the importations were \$1,905,000,000 while the exportations were only \$1,799,000,000.

In 1926, as I stated a moment ago, the importations were \$1,918,000,000 and the exportations were only \$1,891,000,000. In both instances the exportations were less than the importations.

Now, let us see the increase of exportations over importations of finished manufactures. We have seen how the importations of agricultural products were greater than the exportations. Let us see about the manufactured products. The exportation of those products showed a greater percentage of increase under the present law than under the Underwood law.

For instance, in 1913 the importations of finished manufactures amounted to \$408,000,000, while the exportations of finished products were \$776,000,000.

In 1914 the importations of finished manufactures were \$449,000,000, while the exportations of the same things were \$724,000,000.

These percentages of exportations over importations under the Underwood law are as 90 per cent and 61 per cent, respectively.

In 1923, under the present system, let us see what the percentages are. Are they lower than 90 and 61 per cent?

In the first year under the operation of the present law, 1923, the importations of finished products, both dutiable and free, were \$770,000,000. The exportations for that year were \$1,477,000,000—an increase of 91 per cent in the exportation of finished manufactures.

In 1924 the importations were \$748,000,000; the exportations were \$1,500,000,000, showing a percentage increase of 112 per cent.

In 1926 the importations were \$876,000,000, while the exportations were \$1,956,000,000—a percentage increase of 123 per cent.

This shows that the increase in our exportations over our importations in finished manufactured products under the present tariff rates has greatly outstripped our percentage of increase in exportations over importations of agricultural products. In addition, the table shows that the annual average of imports of agricultural products since 1920 has increased over the annual average before the war 152 per cent, whereas the average annual increase of importations of finished manufactured goods has increased only 96 per cent since 1920.

There you are. Importations of agricultural products increased 152 per cent, while in the case of manufactures the increase was only 96 per cent.

On the other hand, the annual average of exports since 1920 has increased 123 per cent on agricultural products as compared with the pre-war average, whereas the exportation of finished manufactures has increased 183 per cent since that time. That is to say, the increase of agricultural exports is less than the percentage increase of imports, whereas the percentage increase of exports of finished products is much greater than the percentage increase of imports.

Are those facts? Can they be controverted? Do they not show that agriculture, under the "benign" workings of your system, is getting an unfair deal; that the system has closed the markets of the world to our agricultural products, while under the walls of protection your manufacturing companies fleece the American consumer and sell in the markets of the world?

Oh, yes; there are some industries in this country, some manufacturing interests, that have progressed without the help, particularly, of your tariff system. It has hurt them in many instances. Take the great automobile interests of this country. They get their rubber free. They pay high import duties upon their glass. They pay high ad valorem rates upon the steel that goes into the making of the cars and upon many other things that go into them; and yet, notwithstanding that, they have been able, under the leadership of Ford, constantly to reduce the prices of automobiles and go out into the markets of the world and sell them in competition with everybody.

There are other industries that have progressed notwithstanding this favored treatment that you have given to the Steel Trust and to the Aluminum Trust and to the Woolen Trust and to the Cotton Manufacturers' Trust and these other trusts that bleed agriculture and prosper through increased dividends to their stockholders. The trouble is, your system invites retaliation in higher tariff duties from other countries, and closes or restricts those markets to those in this country who have built up great organizations without your tariff assistance.

Take the importations during the year 1926. On total importations of \$4,430,000,000 there were imported into the United States, on four items, over one-third of the total.

Talk about your big importations! Of rubber we imported \$505,000,000 worth. Of raw silk we imported \$400,000,000 worth. Of coffee we imported \$322,000,000. Of sugar we imported \$232,000,000 worth. Yet Senators talk about the great importations that come here! It is due to the raw materials

that have come into this country, used by the manufacturers to increase their prices to the American consumers.

Take tin and tin ore. Take many other articles—copper, which comes in to-day free, and piles high the importations. Why, you talk about importations, but it does not tell the tale. Back in 1920 we imported into the United States over a billion dollars' worth of sugar. We had to have it. We needed it. It was selling high at that time. Indeed, it was so high that the Republican Party printed a campaign pamphlet and issued it broadcast to the country and charged the Democratic Party with responsibility for the high price of sugar, notwithstanding we were importing this great amount at that time.

Let us take rubber. Look how it has increased because it has fallen into the hands of a monopoly. The same thing holds true of coffee. We have to have it. If you want to raise more revenue, if you do not want to incur some loss of revenue, you can tax coffee. I do not favor that, but we have to have coffee, because we do not produce it. It has gradually increased. Look at the increase in the importations of rubber. Back in 1921 we imported only \$73,000,000 worth of rubber. Last year it was \$505,000,000. That is the situation.

Mr. President, let me give you some more of the ratio of prices between farm products and those of manufactures. Immediately after the war the index of farm prices was almost, though not quite, as high as the index of prices of articles which the farmer purchased. In May, 1920, for example, the index of farm prices of 19 important products was 273 per cent of the 1913 base, and the index of the principal products purchased by the farmer was 278 per cent. There was not much difference.

Since 1920 the condition of the farmer has been getting steadily worse with respect to the relative prices of products with what he has to buy. In January, 1927, the prices of 19 representative farm products—this is under your tariff system—was 139, on the 1913 base of 100, whereas the relative prices of the principal products the farmer buys was 166 per cent. Look at the widening differences in the purchasing power of the dollars.

Stated in more detail and from a slightly different point of view, in October, 1926, 100 units of the principal farm products would purchase only 84 units of the principal products the farmer had to buy. In still greater detail, in October, 1926, a hundred units of farm products would purchase 94 units of foodstuffs, a hundred units of farm products would purchase 86 units of clothing, 76 units of household supplies, 80 units of building material.

Expressing the purchasing power of a hundred farm units in terms of individual commodities it is found that they would purchase—and here is how it affects the farmer—87 units of rope, only 70 units of men's shoes, only 59 units of women's shoes, only 72 units of cotton hosiery, 76 units of woolen suitings, 46 units of men's woolen underwear, 68 units of table plates, 66 units of knives and forks, 70 units of cotton blankets, 83 units of woolen blankets, 77 units of cotton sewing thread, 78 units of quinine, 63 units of Epsom salts.

Oh, you have taxed everything, so that it costs the farmer that much more. If he wants to take his bushel of wheat or his bale of cotton or his oats or his corn and exchange it, even for Epsom salts, his dollar would only get 63 cents worth of Epsom salts. It would purchase 84 units of shingles, 86 units of cement, 83 units of window glass, 63 units of white-lead paint.

The value of 19 important farm products was only 4 per cent greater than the value of the same products in 1913—that is, the index was 104, whereas the index for union wages for 1925 on the 1913 base was 140. Let the products of the farm be measured in union wages, and the wage earner gets \$1.40 to every dollar's worth of farmer's products.

Those are facts that answer the argument of the distinguished Senator from Utah made on yesterday. He talked in his speech about labor, and how it was affected by these high-protected interests. If you will analyze the situation, in most instances you will find that the smallest pay to the laboring man comes from the most highly protected industries in this country. There are only a little more than 8,000,000 men and women working in the manufacturing interests of this country. There are 40,000,000 and more American laboring people employed on farms, in counting houses, in various places, who are not protected by these high and exorbitant tariff duties.

Mr. President, I have said about all that I want to say. I am sorry that the distinguished Senator, after my analysis of these rates on agricultural products, sought to say the Democratic Party is a free-trade party. It is not. The Democratic Party differs little, if any, from the views of men who are progressive and who believe in equal rights to all and

special privileges to none, who occupy seats on the other side of the aisle.

I shall not forget the magnificent fight that was waged against special privilege in this body in 1909 when the Payne-Aldrich tariff bill was before this body for consideration. History recalls few characters that will live longer, who performed a greater service for the great masses of the American people than did Dolliver, from Iowa, and La Follette, from Wisconsin, and those who fought with them against the iniquitous provisions carried in that measure. They sounded the tocsin call. They aroused the West as it had never been aroused before against these rates that bore down upon that great section out across the Mississippi.

You thought then that it made little difference. The distinguished Senator from Utah [Mr. SMOOT], who was then styled a "little shepherd," sitting not far from the distinguished Senator from Wyoming [Mr. WARREN], who was called the "big shepherd," spurned their protestations. They did not believe that it would have any effect. But, sirs, it started the crystallization of public sentiment in that section of the country and aroused the people, who went to the polls in 1910 and swept from power the Republican Party.

You may look with no concern upon this little modest resolution offered by a Republican Senator from the far-off West. You may say it makes no difference if you pass it. You may say you will spurn it if it passes, that you will not consider it in the committee, that you and the party are bigger than any section or any class of individuals in America. Remember what happened in 1910. In my humble opinion the Senator from South Dakota and his colleagues who are working with him in this matter are beginning a crusade that will gain in number as the ides of November approach, and it will not be long before you reactionary friends of the angels of this administration, the special interests that have bled and bled the American consumer until he is snow white, will demand and concede some revision of the tariff.

Ah, we can go into the committee and in a practical, sensible way look at the conditions as they exist, not write measures in a free-trade style, not disorganize business in this country, but we can look at the cold facts; we can revise the tariff upon some basis that might help to restore the equilibrium and parity between the purchasing power of the dollars of agriculture and those of other industries in America.

I believe personally in a tariff that breeds no bounties, that spawns no special privileges. I believe in a tariff that promotes trade, not trusts. I believe in a tariff that will not tax the poor, but will take the revenue from the fortunes of the rich. I want to promote the tariff competition rather than combinations. I want to bring the peoples of the world closer to my Government through trade and commerce, and not encourage them to make war and battle against them. I want a tariff for peoples, not persons.

No wonder the precedents that you have established have found root in what other governments have done. When the last tariff law was before the Senate for consideration we said that if you passed it and put these barriers up against the importations into this country of some products that might meet in competition with the trust-made goods of this country, and give to the people some benefit in cheaper rates and prices, other countries would erect like barriers against our farmers' products being sold to them. You said no, you were a government to yourself. You did not care. You had started out on a policy of isolation. What mattered it to you what other governments might do or what other statesmen might think?

The cold facts now confront you that since you passed this law and erected these barriers 51 governments have passed high tariff rates retaliating against us. I shall put a few of them in the Record. It is so infamous, although the Senator from Utah and the Senator from Indiana, and maybe my friend from Ohio, have not yet caught the spirit of the new day. But remember that the great bankers of your own party, many of them whose advice has been sought, who in the past have been invited even to the White House to sit around the festive board—of course, that was just before some election was to take place, so that the shekels might fall from their bulging pockets into the coffers of the Republican Party—have spoken up. They said that the tariff ought to be revised, that agriculture was not getting a fair deal out of it, and that you ought to restore some equilibrium. That arouses my friend from Utah. He does not like it, and when the representatives of this Government sit in an international economic conference at Geneva, appointed by this Government, they are met with rebuke because they say that the tariff is one of the things that is grieving the world, that is holding European countries back, that is delaying economic rehabilitation.

That delegation was composed, not of Democrats particularly. There was one on it, Norman H. Davis, one of the finest men who has ever lived, a man who is competent to represent this Government in any body and in the consideration of any question.

But the other gentleman on that committee, whose name I have forgotten—I think it was Mr. Robinson—is whom? He is a hidebound Republican. I understand he never scratched a ticket in his life. He owns an interest in manufactures, and is a banker of repute and standing. He is one of the members of the delegation. Why, this man Robinson even served under the distinguished Vice President of the United States when he was head of the Dawes Commission. He was good enough then to serve the Government. His advice was accepted in that difficult matter. But now he differs from the Senator from Utah, and consequently he is not worth while.

Mr. O'Leary, another member of the delegation, who said the tariff ought to be revised to help agriculture, is another big Republican from Chicago, a big banker interested in manufacturing. Doctor Klein is another. What finer authority and agent of this Government could we have than he? He is the man who has employed his fine talents to build up trade throughout the world, and if my good friend from Indiana would consult him, he would have more wisdom. I like to drink from the fountainhead myself, and that is why the facts I give are good. Doctor Klein is supposed to be a good Republican. That is the delegation which is spurned here and held in contempt because they say the tariff should be revised.

I welcome this movement. I wish it were a bill, so that we could really do something. But we can do this much—we can give an expression that agriculture should be elevated, that it should be helped, that the manufacturers should not continue to be made the only favored angels of this administration. I shall vote for the resolution. I hope that it will be unanimously adopted.

Mr. HARRISON subsequently said: Mr. President, I ask unanimous consent to insert in the Record, following the remarks which I made this morning, a statement of some of the changes in tariff rates by various countries of the world.

The PRESIDING OFFICER. Without objection, it is so ordered.

The statement is as follows:

#### NOTES ON RECENT TARIFF INCREASES IN FOREIGN COUNTRIES

##### UNITED KINGDOM

On July 1, 1925, the United Kingdom reimposed the McKenna duties—i. e., the duties of 33 $\frac{1}{3}$  per cent ad valorem on passenger automobiles, musical instruments, clocks, and watches, and a specific duty on cinematograph films. Later in the same year duties of 33 $\frac{1}{3}$  per cent ad valorem were imposed on cutlery, gloves, and lace and embroidery. Specific duties were placed on silk and artificial silk, hops and hop extracts, and gas mantles.

In 1926 a duty of 33 $\frac{1}{3}$  per cent ad valorem was placed on commercial motor cars and 16 $\frac{2}{3}$  per cent ad valorem on wrapping paper. In 1927 a duty of 33 $\frac{1}{3}$  per cent ad valorem was placed on automobile tires; a new specific duty of 28s. per hundredweight was placed on chinaware; and the duties on tobacco, wine, photographic film, and matches were increased.

##### FRANCE

Effective from April 7, 1926, the French Government applied a 30 per cent increase to all specific import duties, with certain exceptions, which included tobacco, paper pulp, and certain specified grades of paper. By a decree of August 14, 1926, specific import duties, with some exceptions, were again increased by 30 per cent. The depreciation of the franc was given as the reason for these two 30 per cent increases.

On July 10, 1926, the value for the application of a 20 per cent ad valorem import duty on positive films in France was increased from 2 francs to 5 francs per meter, making the duty 1 franc per meter.

The Franco-German treaty, effective September 6, 1927, imposed on certain lines of American goods duties four times as high as those applied to competing products from Germany, England, and other countries having most-favored-nation treaties with France. These duties were removed from American products on November 21, 1927. However, on some articles on which the United States received intermediate rates of duty and the Franco-German treaty provided new minimum rates higher than the old intermediate rates, France now applies whichever rate is the higher. Among these products are vegetable-tanned hides and skins, chamols-dressed or parchment-dressed leather, Hungarian leather, certain leather manufactures, machine-made paper, parchment and fancy paper, vehicles other than automotive and railway, milling machinery, certain fine cutlery, toys and parts, and certain rubber manufactures.

Effective from September 3, 1927, the French import duties on wheat and rye in grain or flour and certain cereal products were increased.

The table below shows the old and the new French duties on these products:

Tariff No.	Article	Import duties in francs per 100 kilos	
		Former	New
68	Wheat, spelt, meslin:		
	Grain.....	18.20	25.00
	Crushed, and grist containing more than 10 per cent of flour.....	37.40	45.00
	Flour, at the rate of extraction:		
	70 per cent or above.....	37.40	45.00
	61 per cent to 70 per cent.....	45.90	52.00
	60 per cent and below.....	54.40	58.00
71	Rye:		
	Grain.....	7.80	11.00
	Flour.....	17.00	19.00
75	Ship's biscuits and bread.....	23.80	25.00
76	Groats, grits, pearly and cleaned grain.....	54.40	66.00
77	Semolins in the form of pastes; Italian pastes.....	54.40	66.00

GERMANY

On May 19, 1925, the German Government presented a preliminary tariff revision embodying new maximum rates of duty to the Reichsrat. The German Government emphasized the possibility of obtaining reductions from these higher rates on some items by the process of tariff bargaining. The new German tariff rates became effective on various groups of items on different dates up to October 1, 1925, when the last of the new duties went into effect. The new rates on automobiles were considerably higher than the old rates, but provision was made in the law for their decrease at successive six-month intervals, beginning July 1, 1926.

By a modification of the temporary commercial agreement between France and Germany, effective from April 11, 1927, the German conventional rate on wheat flour applying to the United States was increased from 10 marks to 11.50 marks per 100 kilos. This new rate expired on June 30, 1927, and since that date wheat and rye flour from the United States and all other countries have been subject to the general rate of 12.50 marks per 100 kilos.

Effective from January 1, 1928, automobile parts, formerly dutiable according to their component material, become subject to the generally higher rates applicable to complete automobiles or complete automobile motors.

The rates of duty on automobiles after January 1, 1928, under the decreasing plan provided in 1925 are as follows:

	Gold marks per 100 kilos
Automobiles weighing less than 2,200 kilos.....	100
Automobiles weighing 2,200 to 3,200 kilos.....	75
Automobiles weighing over 3,200 kilos.....	70

ITALY

The Italian Government has made increases in tariff rates on various items and groups of items in the last two years. In 1926 import duties were reimposed on machinery and materials for new construction. Large duty increases were made on hides and skins and their manufactures. The import duty on newsprint paper increased from 5 gold lira to 8 gold lira per 100 kilos, effective November 1, 1926. Effective from December 19, 1926, import duties were increased on agricultural machinery, typewriters, cash registers, meters, motor cycles, and cinematograph films. Further increases were made on a long list of commodities, effective from February 18, 1927.

BELGIUM

The duty on refined mineral oil of a density under 0.78 at 15° C. was increased from 20 francs per hectoliter to 40 francs per hectoliter, effective January 1, 1926.

Increases in import duties on an extensive list of articles in Belgium were made by a law of June 7, 1926, and decree of June 24, 1926. Among the increases of special interest to American exporters were those applying to gasoline, kerosene, lubricating oils, sugar, and unmanufactured tobacco.

Important increases in coefficients applied to specific rates of import duty in Belgium, especially on luxury goods, became effective June 28, 1926. Among the commodities affected were cereal flours, certain fruits, industrial chemicals, textile products, clothing, expensive woods, tires, rubber belting, and metallurgical finished products.

After July 28, 1926, special authorization was required for the importation of flour.

Effective from November 2, 1926, import duties were increased on an extensive additional list of products, including fresh and dried fruits, automobiles and parts, and many other items. More increases went into effect January 24, 1927.

NETHERLANDS

A new customs law became effective from July 1, 1925. The duties on most items were increased from 5 to 8 per cent ad valorem with a few

classes of goods subject to higher duties, such as motor vehicles (12 per cent) and package foods (20 per cent ad valorem).

CUBA

A complete revision of the import duties containing many increases in rates was put into effect October 26, 1927.

MEXICO

Mexican import duties were increased on a number of items April 22, 1925.

An extensive revision of the tariff was made March 7, 1927. Approximately 350 items were changed, most of the rates being increased, but there were also a few decreases.

AUSTRALIA

The Australian import tariff schedule was revised September 3, 1925. Duties on iron and steel products were increased August 12, 1926.

Effective September 29, 1927, increases were made in the duties and the British preference on automobile chassis. On unassembled chassis the general rate of duty was increased from 12½ per cent to 17½ per cent ad valorem and on assembled chassis from 17½ per cent to 25 per cent ad valorem.

A tariff revision on 135 items, mostly upward, was presented to Parliament November 24, 1927, and became effective the following day, subject to parliamentary approval.

NEW ZEALAND

A revised schedule of import duties increasing the British preference and providing many increases of 5 per cent and 10 per cent ad valorem in the general rates became effective September 13, 1927, subject to confirmation by the legislative body. Further amendments to the revised tariff were presented on October 13, 1927.

SWITZERLAND

The Swiss import duties on automobiles were increased. The tariff classification according to weight was changed at the same time, making it difficult to determine the exact amount of the increase.

CANADA

Canada is about the only country which during the past few years, while other countries have increased their import duties, has made a number of decreases in duties and practically no increases. Decreases have been made on sugar, agricultural and other machinery, automobiles, and many other products. In some cases, particularly on textile items, the preference on British products has been increased.

Mr. McNARY. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll. The Chief Clerk called the roll, and the following Senators answered to their names:

Barkley	Edwards	La Follette	Shortridge
Bayard	Ferris	McKellar	Smoot
Bingham	Fess	McLean	Steck
Black	Fletcher	McMaster	Stelwer
Blaine	Frazier	McNary	Stephens
Blease	George	Mayfield	Swanson
Borah	Gerry	Metcalf	Thomas
Bratton	Gillett	Norbeck	Trammell
Brookhart	Gould	Norris	Tydings
Broussard	Greene	Nye	Tyson
Bruce	Hale	Oddie	Wagner
Capper	Harris	Overman	Walsh, Mass.
Caraway	Harrison	Phipps	Walsh, Mont.
Copeland	Hawes	Pine	Warren
Couzens	Hayden	Ransdell	Waterman
Curtis	Heflin	Reed, Pa.	Watson
Cutting	Howell	Robinson, Ark.	Wheeler
Dale	Johnson	Robinson, Ind.	Willis
Deneen	Jones	Sackett	
Dill	Kendrick	Sheppard	
Edge	King	Shipstead	

Mr. KENDRICK. I desire to announce that the Senator from Arizona [Mr. ASHURST] is engaged in the work of the Committee on Public Lands and Surveys.

Mr. OVERMAN. I wish to announce that my colleague the senior Senator from North Carolina [Mr. SIMMONS] is absent on account of sickness.

The PRESIDING OFFICER (Mr. McNARY in the chair). Eighty-one Senators having answered to their names, a quorum is present.

Mr. WATSON. Mr. President, I always listen with keen interest to the mellifluous flow of speech from the lips of my distinguished and beloved friend from Mississippi [Mr. HARRISON]. I heard him in Madison Square Garden, in that demonstration which our Democratic friends had which lasted most of the summer, and his clarion voice sounded like a bugle call across the hills and valleys of the Republic summoning the hosts of democracy to battle. I am not unaware of the fact that the answer to that call on behalf of my eloquent friend was a 7,000,000 majority against the thing he advocated. Therefore I have not been seriously alarmed at the attack he has made to-day upon the citadel of protection.

I recall further that my friend from Mississippi, while having voted twice against the McNary bill, to-day intimated that

he intended to vote for it; and further that while he has inveighed in caustic terms against the Finance Committee or its Republican membership and the Republican membership of this body for having failed to formulate a tariff bill in which the rates on agricultural imports were sufficiently high, that he has voted even against those rates and against every rate imposed upon any agricultural import from the time he became a Senator down to the present hour. Therefore it might be that my friend would respond that consistency is for small minds and that—

New conditions teach new duties.  
Time makes ancient good uncouth.

But after all, when we are being criticized for having failed to protect the agricultural interests of the country by rates sufficiently high, it ill becomes my friend, who has voted against every rate ever sought to be imposed by any tariff bill on agricultural imports, to criticize us because of that policy.

Personally, I am somewhat in a singular situation at this time. I am against the resolution offered by the Senator from South Dakota [Mr. McMASTER], and yet I am in favor of farm legislation. I want, as briefly as I may, to give a reason for the faith that is within me on both propositions. I am against the one because I am for the other. The McNary bill was founded upon the proposition that the tariff should be made effective. That was the very core of it all and the purpose of it all. If the tariff be abrogated there is no foundation upon which the McNary proposition can rest in the future.

The problem confronting agriculture in the United States is a stupendous one and one that has been the subject of intensive debate throughout the life of the Republic. Inability to agree does not furnish proof that there is no proper solution, but debate and discussion must continue until one shall have been found and applied. With occasional fluctuations agriculture has been on a comparative decline since 1900 and has not maintained its former level with industry.

The Republican platform adopted in 1924 recognized that fact and gave a specific pledge to the people of the country that legislation would be enacted to restore agriculture to the level of industry. That meant two things: First, that it was not on the level of industry, and secondly, that by legislation it could be restored to that level. The Democratic platform contained almost the same provision—at least the same in meaning—yet we have not redeemed that promise and have not fulfilled that pledge. Still, however, the occasion is here when some legislation along that line should be enacted in the interest of the American farmer.

However, it is not wise, in my judgment, for any friend of agriculture to take the position that unless he can at once get all he wants by way of governmental relief he will kick the whole eastern side out of the House, for he must remember that the western side can not stand after the eastern side shall have been kicked out, but that the whole edifice will fall together. Revenge is not a proper foundation upon which to erect an enduring structure in either individual or in national life.

Mr. McMASTER. Mr. President—

The PRESIDING OFFICER (Mr. McNary in the chair). Does the Senator from Indiana yield to the Senator from South Dakota?

Mr. WATSON. I will yield in a moment. Assuredly it can in no way inure to the benefit of agriculture to attempt to destroy or even to undertake the initial steps to destroy its home market and impair the ability of its present purchasers to buy the products of the American farm. Now I yield to the Senator from South Dakota.

Mr. McMASTER. I was interested in the statement or implication made by the Senator that the reason for the introduction of this resolution was due to a spirit of revenge.

Mr. WATSON. No; I did not mean that.

Mr. McMASTER. Well, what did the Senator mean? Does the Senator think that the resolution was inspired in any way from a sense of revenge on the part of the farmer?

Mr. WATSON. I do not.

Mr. McMASTER. I do not quite understand, then, why the Senator used the word "revenge."

Mr. WATSON. I used it because I have heard many times throughout my section of the country and farther on toward the West that the farmers would rise against the protective tariff system unless it was extended to them in accordance with their wishes. That was the reason for my statement.

Mr. McMASTER. Does not the distinguished Senator from Indiana feel, after the farmers have been knocking at the doors of Congress for six or seven years, and those doors have been closed in their faces continuously for that long period, that it is time that agricultural relief were provided?

Mr. WATSON. The Senator from South Dakota knows that there is no man in this body who has devoted himself more assiduously to the passage of the McNary-Haugen bill than have I. By voice and by vote and by assistance in organization I have helped to promote the passage of that measure, and I intend to do so again. In doing that, however, I am not actuated by any desire to destroy the protective tariff in any particular or for any purpose.

Mr. McMASTER. Mr. President, first, I wish to commend the distinguished Senator from Indiana for the position he has taken upon the farm relief question. He is one of the few Members of this body who are considered as belonging to the old school who have taken a decided stand. However, I wish to say that there is not one word, one sentence, or one syllable in the resolution which seeks in any shape, manner, or form to destroy the principle of protection; but I wish to ask the distinguished Senator from Indiana if, in his own mind, he does not think that there are a few industrial schedules in which the duties imposed are too high?

Mr. WATSON. That is a matter of individual opinion. I have been a student of the tariff for 35 years; I have made as many tariff speeches in my time, perhaps, as any living American and I have always tried as best I could to have the tariff measure the real difference between the cost of production at home and abroad in fixing any rate on any item of import. I think that is the only proper course to pursue.

It may be that some of the rates are too high. I do not now know. It may be that some of them are too low. I can not now say. I do know, however, that we brought into this country last year four and one-half billion dollars worth of foreign products. A billion dollars worth of them approximately were noncompetitive, such as rubber, raw silk, and so forth, but \$3,000,000,000 worth were competitive. I also know that we can not bring into this country \$3,000,000,000 worth of competitive products without in some way or other interfering with American industry.

I know that whenever we buy a coat which is made abroad we do not buy a coat which is made in the United States, and to that extent we put out of business the man who is making that coat in the United States and those who make coats generally. The same thing is also true of every other article of import which we bring into this country. If I had my way about it, I would make rates just as high as I could on all imports adequately to protect the American producer whatever his occupation or in whatever field of activity he may be working.

Mr. McMASTER. Will the Senator from Indiana yield for one more question?

Mr. WATSON. Certainly.

Mr. McMASTER. It was stated here yesterday on the floor by the distinguished Senator from Utah [Mr. Smoot] that the administration had stated that there would not be tariff reduction for two years. That implied that possibly in two years there would be tariff reduction. If there would be reason for a tariff reduction in two years from now, why should not there be a reason for a tariff reduction at the present time?

Mr. WATSON. I did not hear the Senator from Utah make the statement to which the Senator from South Dakota refers; I have not talked to the President about the matter; I do not know what his views are; but I know, as the Senator from South Dakota will recognize, that, with the revenue bill ahead of us, if we should attempt to pass tariff legislation we would stay here the whole summer through and could not get away. I want to say this to my friend, inasmuch as—

Mr. Brookhart. Mr. President—

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Iowa?

Mr. WATSON. Yes.

Mr. Brookhart. Is there any objection to staying here all summer if we can thereby enact legislation to give the farmers the relief which the Republican platform promised them?

Mr. WATSON. I will say to my friend from Iowa that I think it can be done otherwise. I wish to say further to my friend from Iowa and also to my distinguished friend from South Dakota that we have heretofore encountered situations of this kind, and we know what the gentlemen on the other side will resort to in the teeth of a campaign when it comes to making a tariff bill. We permitted that to be done in 1890, and they swept us out of power because they devoted months upon months to a discussion of the tariff bill and never permitted it to be passed until two weeks before the election. It did not have time to be tried and tested practically in the country; people rose up against it, and they defeated even McKinley for Congress in his district, although he was the author of the bill.

Not only that, but in the last election they talked and debated the Fordney-McCumber bill for weeks and weeks and weeks;

they discussed the tariff on vinegar for two weeks; and they kept talking about the bill until it was passed only a short time before the election; and so the people had no opportunity to measure it and determine what it would do, and we had no chance to ascertain what the real benefits of it would be. I do not intend to be caught in that kind of a trap again, if I know it. I am opposed to any tariff revision at this time, because I believe that by the enactment of just and meritorious legislation aside from the tariff we can so bolster up the tariff rates and schedules as to insure adequate protection to agriculture in the United States of America. However, I may say to my friend that I am not quite sure that any tariff rates which the Congress might impose would be sufficiently high to protect agriculture in the United States against some of its competitors in other lands. I do not know as to that.

Mr. BROOKHART. Mr. President—

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Iowa?

Mr. WATSON. I yield.

Mr. BROOKHART. The Senator pictures the Democrats on the other side as a bad and designing lot—

Mr. WATSON. Oh, they are.

Mr. BROOKHART. And as wanting to win the election.

Mr. WATSON. They do.

Mr. BROOKHART. But is that any reason why the Republican side does not carry out its pledge to the farmers of the United States?

Mr. WATSON. I can not answer for the Republican side. There have been times when I could not answer for my friend from Iowa who is on the Republican side. [Laughter.]

Mr. BROOKHART. I remember, however, a time when the Senator from Indiana has answered even for me. [Laughter.]

Mr. WATSON. I only know that right in the teeth of an election is no time to start out to revise the tariff, and I only know that, so far as I am concerned, I would rather the tariff rates remain just as they are than to attempt to revise them in the face of a presidential election and in the midst of a presidential campaign. I have been through contests of that kind, and I know just what they meant.

I will say further to my friend that if there were no other way by which agriculture might be adequately protected, even under these extreme and emergent conditions, I might be willing to see tariff revision undertaken, but there is another way and another method that I believe will prove adequate and effective for the protection of the agricultural interests of the country, and I know that wisdom as well as prudence demands that we shall march along that path. I want my farmer friend also—

Mr. McMASTER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from South Dakota?

Mr. WATSON. Certainly.

Mr. McMASTER. The Senator states that there is another way of equalizing the condition of the farmer, that is to put him on a parity with other forms of industry, namely, by the passage of the McNary-Haugen bill or other legislation of the same substantial nature. Now, suppose that such legislation shall be passed and then shall be vetoed by the President; then what position will the Republican Party be in with reference to the redemption of its pledge?

Mr. WATSON. Mr. President, I have never been one of those who thought it necessary to go up to the White House every morning to find out what we should do as a senatorial body on that day. I believe that we have a duty to perform; I believe that we have a burden to carry; I believe that we have an obligation to discharge; and I am in favor of doing it regardless of what happens at the other end of the Avenue.

Mr. McMASTER. Yes; but it is highly important that the Republican Party do something to redeem its pledge to the farmer.

Mr. WATSON. With that sentiment I cordially concur and to the expression of the Senator I fully agree.

Mr. McMASTER. What plan has the Senator to offer in the event that the proposed farm legislation shall be vetoed by the President? We had better stay here all summer, had we not?

Mr. WATSON. Does the Senator want me to answer that question?

Mr. McMASTER. Yes.

Mr. BRUCE. Mr. President, may I ask the Senator from Indiana a question?

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Maryland?

Mr. WATSON. I really ought to answer the question of the Senator from South Dakota first, but I will yield.

Mr. BRUCE. I ask the Senator whether he does not think he is taking the Senator from South Dakota just a little too

seriously? Does he believe that the Senator from South Dakota really contemplates a general lowering of tariff duties?

Mr. WATSON. I am going to come to that after a while, and ask him that question myself.

Mr. BRUCE. I should think the Senator would do that first.

Mr. McMASTER. I will be very glad to answer that question.

Mr. WATSON. I have been wanting to ask that question.

Mr. BRUCE. If the Senator from South Dakota does really contemplate a universal lowering of the tariff, I do not see how he could possibly expect to get any considerable number of Democratic votes for his resolution.

Mr. WATSON. That is one of the most comforting assurances I have had at this session from any source. [Laughter.]

Mr. BRUCE. Did any party ever provide for such a lowering of tariff rates in the history of the country since the Civil War?

Mr. WATSON. Certainly, the Democratic Party did when it had a chance.

Mr. BRUCE. Every one of our tariff laws since the war has been protective, more or less.

Mr. WATSON. The Senator from Maryland forgets the Morrison Tariff Act which provided for a horizontal 20 per cent reduction, which just whacked the duties off regardless of where such action would strike.

Mr. BRUCE. Was it not Mr. Cleveland who said that it was a condition and not a theory that confronted us?

Mr. WATSON. Yes; but there was tariff reduction all along the line.

Mr. BRUCE. I do not wish to use any inconsiderate language, but it is hard for me to believe that this resolution is offered in good faith if it contemplates a lowering of all tariff duties.

Mr. McMASTER. Anything that does not come out of Maryland or anything that is not wet is not in good faith, in the opinion of the Senator from Maryland.

Mr. WATSON. Mr. President, I have no desire to enter into a personal controversy as between my two distinguished friends. I cheerfully accord to my friend from South Dakota, of course, the highest motives; I have no question about that.

Mr. BRUCE. Is the Senator from Indiana saying that for the sake of the argument?

Mr. WATSON. No; I am saying it because I believe he is an honest man; I am saying it because I believe he is serving the interests of his constituency in introducing this resolution, as he believes.

Mr. BRUCE. Is he serving the interests of his constituents by lowering the duty on Canadian wheat?

Mr. WATSON. That is up to him to decide.

Mr. McMASTER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from South Dakota?

Mr. WATSON. Oh, surely; I am interested in this.

Mr. McMASTER. I wish to say just a word in answer to the statement made by the Senator from Maryland, although I found but two days ago that he was here making a speech entirely in accord with this resolution, condemning high industrial rates; and on the second day he made a splendid high-protection speech.

In reference to the particular resolution that is pending, however, if I may explain the intent and purpose that was in the mind of the author, I will say that if I had intended in the resolution that all schedules should be lowered I would have used the word "all"; but I used the word "schedules"; and I expect to amend that by putting in the word "general," that there shall be a general lowering, so that my distinguished friend from Maryland will be able to vote for the resolution.

Mr. BRUCE. I will ask the Senator why he did not do that first?

Mr. McMASTER. That will explain the situation for the distinguished Senator from Maryland.

Mr. BRUCE. No; it does not.

In the first place, the Senator stated that I had made two speeches in the Senate on the subject of the tariff. I am afraid the Senator is confusing me with a much more distinguished and much abler man—that is to say, the Senator from Massachusetts [Mr. WALSH]. I have had no occasion to say anything on the subject of the tariff except once, and then tentatively, to commit myself to the proposition that the whole matter of fixing tariff duties should be lodged in some nonpartisan commission, subject to the approval of Congress.

Mr. WATSON. Which, of course, I do not believe at all.

Mr. McMASTER. No; nor I either.

Mr. FESS. Mr. President, will the Senator yield to me?

Mr. WATSON. Certainly; with pleasure.

Mr. FESS. The language of the resolution is general—

Immediate lowering of tariff schedules, and tariff legislation, embodying lowered schedules.

The question I want to ask is does not that include the seventh schedule, which is agriculture?

Mr. WATSON. Why, according to my understanding, of course, by the terms of the resolution. As to whether or not the Senator meant to include the agricultural schedule, of course I do not know.

Mr. FESS. We are considering this resolution.

Mr. WATSON. But, as I read the resolution, it means a lowering all along the line of the rates imposed by all schedules.

Mr. McMASTER. Mr. President—

Mr. FESS. Will the Senator yield further?

Mr. WATSON. Certainly.

Mr. FESS. The first act of the Congress that met in 1921 was the emergency tariff act, passed in May of that year.

Mr. WATSON. It was.

Mr. FESS. I have it in my hand. There are 28 items in that act, everyone of which, without an exception, is agricultural; and most of those items were included in the permanent tariff legislation of September of the next year.

Mr. WATSON. Practically embodied in it.

Mr. FESS. Yes. Has the Senator had any information to the effect that there is a demand from agriculture for the lowering of the schedules under the present act?

Mr. WATSON. I have not from anybody, anywhere.

Mr. FESS. I made inquiry of the Tariff Commission, and I am told officially that there are 585 applications for investigations. Two hundred and fifty-seven of these are for agriculture, all but two of them asking for an increase.

Mr. McMASTER. Mr. President, may I interrupt just there? The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from South Dakota?

Mr. WATSON. I do.

Mr. McMASTER. How many of those farmers were asking for increases on industrial products?

Mr. FESS. I asked the question as to whether there had been any demand for a decrease of tariff duties on agricultural products. I did not ask with reference to nonagricultural products. The resolution of the Senator from South Dakota applies to agricultural products just the same as it does to nonagricultural products.

Mr. McMASTER. May I interrupt the Senator again? If we should amend the resolution in that respect, so as to conform to the Senator's ideas, would he then vote for it?

Mr. FESS. I certainly would not. If the Senator will offer a resolution here for the revision of the tariff schedules, I shall be willing to discuss it with the Senator; but the Senator has demanded a lowering of the schedules. That includes every schedule; and that is why there has been a general resentment against that sort of legislation.

Mr. BRUCE and Mr. McMASTER addressed the Chair.

The PRESIDING OFFICER. The Senator from Indiana has the floor. To whom does he yield?

Mr. WATSON. To all the Senators.

The PRESIDING OFFICER. The Chair understands that the first Senator to address the Chair was the Senator from Ohio.

Mr. FESS. I think the Senator from Indiana had yielded to me.

The PRESIDING OFFICER. That is the Chair's understanding.

Mr. WATSON. I yielded to the Senator from Ohio.

Mr. FESS. A further statement:

The commission has completed and sent to the President 28 reports, covering 35 articles, 9 of which are agricultural products. Action has been taken on several of these. Based on the investigations made by the commission, the President has adjusted rates of duty on six agricultural products—wheat from 30 cents to 42 cents per bushel; wheat flour from 78 cents to \$1.04 per 100 pounds; butter from 8 to 12 cents per pound; Swiss cheese from 5 cents per pound, not less than 25 per cent ad valorem, to 7½ cents per pound, not less than 37½ per cent ad valorem. Here are the exceptions: The duty on milk feeds, such as bran and shorts and other by-product feeds, which the farmers purchase for feeding livestock, was reduced from 15 to 7½ per cent ad valorem; and the duty on quail was reduced from 50 to 25 cents per bird. In other words, there are two items on which there was a reduction.

Referring to the question I asked about corn, the American Farm Bureau has presented to the commission and they are making an investigation of an increase of the duty on corn from 15 cents to some higher figure; I do not recall just what they are asking. My question was—and it grew out of the in-

roduction of this resolution by a representative of the great farming section—whether this resolution would not be counter to what we generally regard throughout the country as a demand for an increase rather than a lowering. That is my specific question.

Mr. WATSON. That is my view of it.

Mr. SHORTRIDGE. Mr. President, will the Senator permit me to make a statement?

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from California?

Mr. WATSON. I do.

Mr. SHORTRIDGE. For the RECORD, I desire to add that very recently the President has granted the petition of agriculturists, and has issued an appropriate order increasing the tariff on certain brands of imported cherries by the full 50 per cent permissible under the flexible section of the tariff act.

I also wish to have it appear that there are pending before the commission two petitions, filed there by agriculturists, seeking increase of the tariff on imported onions and also upon poultry products. Both these petitions are supported by a vast number of producers, all of whom, I take it, are hopeful, as I am, that the President may be persuaded to increase the duties.

Mr. McMASTER. Mr. President—

Mr. WATSON. I yield to the Senator from South Dakota.

Mr. McMASTER. First, I wish to say, in reference to the statements of the Senator from Ohio [Mr. Fess], that practically all of the Members of this body who favor the resolution understand and comprehend that the purport and the intent of the resolution is for the purpose of lowering some of these outrageous schedules that were accorded the industrial products, and thereby, by lowering those schedules, increasing the purchasing power of the farmer.

It was ably shown here on the floor of the Senate this morning by the distinguished Senator from Mississippi [Mr. HARRISON] that that kind of a resolution would even permit the raising of a certain schedule upon a manufactured product if it should be necessary; but those who are trying to find fault with the language are trying to find a loophole through which they can escape and avoid voting for the resolution and then make excuses therefor. This resolution was introduced in the interest of agriculture and with the object and the aim of bringing about a reduction in some of those exorbitant schedules that are accorded industry and that have given some of the industries these enormous profits.

Mr. WATSON. What schedules are they?

Mr. McMASTER. For instance, as I suggested yesterday, there is a little company up here in Providence, R. I., known as the Brown-Sharpe Co., which just a few months after the passage of this law declared a stock dividend of 16,000 per cent. I should say that they had been pretty well taken care of; that they were in a rather prosperous condition when this particular law was passed in 1922. I should say that the Aluminum Co. have done pretty well, in view of the fact that we inserted in the Record yesterday that beginning with a capital of \$1,500,000 that capital had grown by leaps and bounds until in a few years it had reached the sum of \$131,000,000; and that on their finished product—that is, the finished aluminum cooking utensils—the American consumer pays a duty of 11 cents a pound and a 55 per cent ad valorem duty, while upon milk the farmer has asked for a duty of 3½ cents a gallon and was allowed just 2½ cents, or about 5 per cent of the value of the product. I will say that there are a number of those schedules that ought to be lowered; and by reason of lowering those schedules we can increase the purchasing power of the farmer and help to restore the equality between agriculture and the industries.

Mr. BRUCE. Mr. President, just one moment more.

The PRESIDING OFFICER. Does the Senator from Indiana further yield to the Senator from Maryland?

Mr. WATSON. I will yield once more.

Mr. BRUCE. I should like to call the attention of the Senator to the fact that while the Senator from South Dakota says now that he is prepared to accept an amendment to his resolution, yesterday when such an amendment was suggested by the Senator from Massachusetts [Mr. WALSH] he made no such announcement; nor did he make any such announcement when the Senator from Oregon [Mr. McNARY] brought forward a similar amendment to-day.

Mr. McMASTER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from South Dakota?

Mr. WATSON. I do.

Mr. McMASTER. When the distinguished Senator from Massachusetts [Mr. WALSH] made the suggestion to me on the floor of the Senate I stated that I did not choose to quibble

over words in the resolution; that I thought I was willing to make any particular change. I tried to make changes that would suit even the distinguished Senator from Utah [Mr. SMOOT], so that he could vote for the resolution.

Mr. BRUCE. Was not that a little like saying, "I do not choose to be a candidate for the Presidency"? Was that the kind of language in which willingness to accept an amendment would usually be indicated? I say what I do simply because my suspicion is—it may be nothing but a perfectly unjust suspicion—that the Senator from South Dakota is trying to use this resolution of his as a whip with which to compel the regular Republicans in this body to support the McNary-Haugen bill.

Mr. McMASTER. Mr. President, this resolution was introduced for the reasons that I have already enumerated here upon the floor of the Senate; also to serve notice upon the industrial interests here in America that the hour has come when the farmers of America are going to strike for their economic independence, and they are going to begin with that method, and they have some other methods that they are going to use later on; and if they do not receive that economic independence pretty soon, they have another method, the ballot, that will bring them the final results that they intend to procure.

Mr. BRUCE. In other words, as I hope you will all become Democrats. Is that it?

Mr. WATSON. Which certainly will relieve everybody in the United States of anything he has.

Mr. BRUCE. But what kind of Democrats?

The PRESIDING OFFICER. The Senator from Indiana has the floor. Does he desire to proceed?

Mr. WATSON. Now, if everybody is through, I will resume.

Mr. WALSH of Massachusetts. Mr. President—

Mr. WATSON. I yield to the Senator from Massachusetts.

Mr. WALSH of Massachusetts. In order that we may inject a little pleasantry into the serious speech of the Senator from Indiana, I want to suggest that the Senator from New Jersey says that the reason why it took two weeks for the Democrats to discuss the item of vinegar was because it involved certain phases of the prohibition question. [Laughter.]

Mr. WATSON. I did not recall that the Senator from Maryland was in the Senate at that time.

Mr. BRUCE. I was not; but I will say I was delighted a few moments ago to find that the discussion was leading us to the discussion of brandied cherries from the State of California.

Mr. WATSON. Mr. President, I believe that the problem of agriculture is to lift agriculture up and not to pull industry down. I can not conceive that agriculture is to be helped by lowering or even disturbing schedules on manufactured products unless there be some great outrage which should be remedied or some manifest unfairness that should be corrected. I can not conceive that by interfering with the manufacturing industries of this country, by permitting large imports of manufactured products from abroad, by bringing our laboring people into keen and merciless competition with the underpaid and underfed people of the world, that by lowering the general wage level in the United States, which is the home market of the American farmer, we thereby help agricultural industry in this Nation.

Mr. McMASTER. Mr. President, will the Senator yield?

Mr. WATSON. I yield.

Mr. McMASTER. I just want to say to the distinguished Senator from Indiana that every Member on this side of the Chamber who is opposed to the resolution is always insisting that there is something about the resolution that is going to drive labor out of employment, that is going to close down the industries. As a matter of fact, all that the resolution would do, if it were put into force and effect, would be to squeeze out some excess profits from manufacturers and distribute those excess profits among the common people of America and increase their purchasing power. There is not one line or one sentence or one syllable in the resolution that is intended or proposes to throw labor out of employment.

Mr. WATSON. But the Senator must know, in the first place—and I mean no offense—that this can be no more than a gesture, because the Senate has no right to originate legislation of this kind. The Senator must know, in the second place, that if his resolution should pass it would not mean anything.

Mr. McMASTER. If this resolution should pass and it would not mean anything, what is the use of all this discussion? Why does the distinguished Senator from Indiana take up any time on this matter if it does not mean anything?

Mr. WATSON. Because I am going to prove that it does not mean anything. I mean this, I will say to my friend, the Senator from South Dakota—and he will understand there is

nothing offensive about this: I mean that you can not just pass a resolution and say that we are going to lower a tariff rate. Congress is the only authority. Congress must determine what these schedules will be. Congress must fix the tax on every item. Congress must fix every rate that goes into the bill. You can not just waive a wand and say "Tariff rates are hereby reduced." Somebody has to legislate. All the schedules must come under legislative scrutiny. Every item must go through the regular process of going into the Ways and Means Committee, and then into the House, and then before the Finance Committee of the Senate, and then into the Senate.

Everybody knows that that takes months and months of time, and the most serious debate, and the most earnest consideration. No measure receives the real attention that a tariff bill does under ordinary circumstances, because it enters into every home in the Nation, and touches every industry from ocean to ocean. Is not that true? Therefore, if we should pass this resolution, what could the House of Representatives do with it? Suppose the House were to pass it; what would it signify, what would it mean? It would be sent to the Ways and Means Committee, and then the Ways and Means Committee, if they wanted to follow it out, would begin to have tariff hearings, and run for weeks and even months in having tariff hearings, and then formulate a measure along the line of the policy suggested by the resolution, then fling it into the House. Then the House would begin that consideration which the House gives to such measures, and if it should pass it, it would be sent to the Senate and referred to the Finance Committee. We would take our turn at it, then it would come into the Senate of the United States, where it would not be passed more than one week prior to the next election, I know, and so does the Senator. That is the situation.

Therefore, merely passing this resolution is of no avail.

Mr. McMASTER. Mr. President, if the passage of this resolution is a good thing, and if it would be a good thing to have a lowering of some of the tariff schedules, then it would be perfectly proper to go through all of the effort and all of the trouble and spend all of the time that we would have to spend here during next spring and next summer to accomplish the desired result. Is it the interest of one party over another party, an election approaching, or what interest is paramount to the interests of the American people and of the American farmer?

Mr. WATSON. It is in the interest of maintaining these industries in the United States until such time as, measuring our steps, we may in orderly manner proceed to the reconstruction.

Mr. GEORGE. Mr. President—

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Georgia?

Mr. WATSON. I yield.

Mr. GEORGE. I wish to inquire of the Senator from Indiana if he heard the statement made more than once by the distinguished Senator from Utah yesterday, that this resolution was already slowing up business? I make the inquiry, whether he recollects that statement made by the Senator, in response to his statement that it is a mere gesture, and can not possibly have any effect.

Mr. WATSON. I did not hear the remark of the Senator from Utah. He usually speaks by the card. He usually tells what he knows. So far as I am concerned, I know of no slowing up in the country because of the introduction of this resolution, because in my humble judgment the country does not believe the resolution will pass, and if it does, that it can not be consequential in its effect, because everybody knows that it must go to the House of Representatives before it can be made effective.

Mr. FESS. Mr. President, will the Senator yield?

Mr. WATSON. I yield.

Mr. FESS. The Senator had a distinguished career in the House. What, in his judgment, would the House do with this resolution if we should pass it and send it over there? Would they receive it?

Mr. WATSON. I hope the Senator will withdraw that question, because under the rules here we are not permitted to comment on the body at the other end of the Capitol.

Mr. FESS. I withdraw the suggestion.

Mr. BROOKHART and Mr. BORAH addressed the Chair.

Mr. WATSON. I yield to the Senator from Idaho.

Mr. BORAH. I think the Senator from Iowa rose first.

Mr. BROOKHART. The Senator suggested that there has been no slowing up of industry under this wonderful protection and prosperity that we have in the United States.

Mr. WATSON. I did not say that.

Mr. BROOKHART. I read a statement from the Department of Commerce about our great prosperity under this system,

and then I sent over to the department for its bulletin on the earnings of corporations. I knew that 90 per cent of the farmers of the United States were on the verge of bankruptcy, and I wanted to see what the corporations were doing.

In 1925, out of 430,000 corporations, 177,738 were operating at a loss of nearly \$2,000,000,000, and they had been operating since 1922 in the same way. So I think there is some inequality in this tariff prosperity we have in the United States, even among the corporations themselves.

Mr. WATSON. Mr. President, that only adds to the complexity of the problem. If that be the situation, we ought to raise the tariff.

Mr. CARAWAY. Mr. President, may I ask the Senator a question?

Mr. WATSON. Certainly.

Mr. CARAWAY. Did I understand the Senator to say that a higher tariff would increase prosperity? Is that the Senator's position?

Mr. WATSON. I did not understand the Senator.

Mr. CARAWAY. Did I understand the Senator to say that to raise the tariff would increase prosperity?

Mr. WATSON. It always has.

Mr. CARAWAY. It has?

Mr. WATSON. Always.

Mr. CARAWAY. Then, when you have an era of profitless prosperity, why does not the party in power go to work and raise the tariff?

Mr. WATSON. I have already answered that question two or three times.

Mr. CARAWAY. What was the answer?

Mr. WATSON. Will the Senator pardon me? I do not care to go all over that again about what it means to revise the tariff at this particular time. I will not go into that.

Mr. CARAWAY. In other words, the Senator is perfectly willing for agriculture to die—

Mr. WATSON. No.

Mr. CARAWAY. And other business languish, in order not to disturb a political situation.

Mr. WATSON. Not at all. I have said that there is another way, and the Senator has worked with me side by side and shoulder to shoulder in working out that other plan by which agriculture can be benefited and protected in the United States, in addition to the tariff.

Mr. CARAWAY. That is not what I asked.

Mr. WATSON. Not only that, but the Senator can not see that by imposing higher rates on agricultural products we could adequately protect agriculture.

Mr. CARAWAY. That is exactly what we are coming to. I absolutely know that the tariff, so far as the farmer is concerned, is absolute "bunk"; that he gets nothing out of it except an increased cost of living. Everybody knows that.

Mr. WATSON. I am going into that.

Mr. BORAH. Mr. President, let me ask the Senator if he has the figures as to the amount of food products coming into this country at this time.

Mr. WATSON. I have them here somewhere. I do not recall them.

Mr. BORAH. I want to call the Senator's attention to the fact that there are about \$2,500,000,000 of food products coming into this country.

Mr. WATSON. It is very large, I know.

Mr. BORAH. Which the American farmer is perfectly capable of producing.

Mr. WATSON. I agree with the Senator entirely, and I believe in raising the rate as far as we can adequately to protect that industry. But there may come a time when we can not protect the industry by rates sufficiently high. We can not levy an embargo on articles of agriculture coming into the country, and that is why I favored the McNary plan, a plan to buttress the tariff and to make it effective wherein it was not effective.

For instance, take the tariff on wheat. We passed a tariff of 30 cents a bushel on wheat. By and by it was found that that was not adequately protective. A complaint was made to the Tariff Commission, and after the requested hearing the Tariff Commission reported that it would take 42 cents a bushel to measure the difference in the cost of production between this country and Canada in the production of a bushel of wheat. Whereupon the President—and I think quite properly—raised the tariff on wheat to 42 cents a bushel.

Mr. CARAWAY. And wheat went down that week.

Mr. WATSON. It now transpires that wheat is selling for more in Winnipeg than in the United States. It now transpires that 42 cents does not measure that difference at this time.

Mr. CARAWAY. The Senator—

Mr. WATSON. Wait a moment. Remember the question, if you can, and give it to me after a while. Let me finish this, if you please.

Mr. CARAWAY. Let me inject this, so that the Senator can make his argument consistently. Wheat went down 9 cents a bushel when they raised the tariff.

Mr. WATSON. Certainly.

Mr. CARAWAY. Then the tariff did not help the farmer.

Mr. WATSON. It did not help him. That is what I am saying.

Mr. CARAWAY. I did not know that was what the Senator was saying.

Mr. WATSON. That does not add to what I am already saying about it. If the tariff is not effective on wheat at 42 cents a bushel, then should we not do something to make it effective if we mean to have a protective tariff on wheat?

Mr. BORAH. If you can not raise the tariff high enough to protect the wheat raiser in this country, it is as certain as that night follows the day that you can not do it by inverting the tariff proposition, as in the McNary-Haugen bill.

Mr. WATSON. I do not think we invert it at all. I think we simply support it and buttress it, to make the tariff effective wherein it is ineffective. I am coming to that in a little bit, if the Senator will listen to me.

Mr. FESS. Mr. President, will the Senator yield on the question of the Winnipeg wheat?

Mr. WATSON. Certainly.

Mr. FESS. Has the Senator followed the operations of the wheat pool that was started some time in September?

Mr. WATSON. I kept it up partially, but the Senator knows I was in the hospital part of the summer, and I did not keep up fully and accurately with those reports.

Mr. FESS. I think it would be perfectly obvious that if we could employ a method such as is used in Canada by which we could control the marketing as they are controlling it, we could fix the price also on wheat as Winnipeg has.

Mr. BROOKHART. Mr. President, will the Senator yield?

Mr. WATSON. I yield to the Senator from Iowa.

Mr. BROOKHART. On that question of wheat, the Canadian pool had its price fixed at the world market in Liverpool, the same place where the Chicago market had its price fixed. The pool helped us as much as it did Canada. It improved the world price and stabilized the world price. I think there is no doubt about that. But here is the kind of protection we have on wheat under our 42 cents a bushel. September 8 at Minneapolis No. 1 winter wheat was selling at from \$1.33 to \$1.38. At Winnipeg it was selling at \$1.52½.

Mr. WATSON. That is what we are saying.

Mr. BROOKHART. Something happened on September 12. November 16 in Minneapolis it was \$1.24 to \$1.30, and in Winnipeg \$1.50%. So the spread increased 8 cents on wheat between September and November. Something happened to cause that increase.

The thing that happened was the Canadian Railway Commission lowered railway rates about that time and immediately the Canadian farmers got that much better price, and half of our whole tariff of 42 cents a bushel is nullified by discrimination in freight rates in the United States to start with.

Mr. FESS. Does the Senator from Indiana approve of the statement of the Senator from Iowa about the transportation rate fixing the price?

Mr. WATSON. Oh, no, I do not; but I can not go into that question. That is on the sidetrack now.

Mr. FESS. I wondered whether the Senator would fall for that statement.

Mr. WATSON. Oh, no.

Mr. BORAH. Mr. President, does the Senator from Ohio dispute that proposition?

Mr. FESS. The Senator from Ohio does dispute the proposition. The rate may measure what the producers get, but it does not modify the price that the consumers pay. The farmer who raises wheat in Iowa and sells it in New York will have to pay out of the thing he gets in New York the price for the transportation. The price to the consumer has not changed, but the price to the producer is lowered by the amount of the transportation he pays.

Mr. BORAH. That is what I understood the Senator from Iowa to contend.

Mr. BROOKHART. That is exactly my point.

Mr. FESS. No; what the Senator from Iowa said, as I understood it, was what wheat was ranging in Winnipeg, as he gave the figures.

Mr. BROOKHART. Yes; I quoted those prices because that illustrates what the producer gets.

Mr. FESS. What is the price at Minneapolis?

Mr. BROOKHART. It was 10 or 15 cents less at Minneapolis than at Winnipeg, and then they lowered the freight rates and then it was 20 or 25 cents less.

Mr. FESS. The only effect upon the producers of wheat in Winnipeg and Minneapolis would be the difference in the freight rates they had to pay to where they marketed. It would not be the difference in the price paid by the consumer, but the difference is in the amount the producer got. The one gets more than the other because he does not suffer so much in the market.

Mr. BROOKHART. That is what I claim. Under this beneficent protection of 42 cents a bushel on wheat, the farmers of the United States have taken for the present crop from 10 to 20 cents less per bushel than the Canadian farmers got.

Mr. WATSON. Does the Senator from Iowa want us to repeal it all?

Mr. BROOKHART. I want to repeal it wherever it is excessive. I want to put it on the basis of the cost of production of every article. I think that would raise it on most farm products while lowering it on industrial products.

Mr. WATSON. Not all industrial products.

Mr. BROOKHART. I do not, merely because it may defeat some candidate for President, want to shirk my duty in the Senate, and say we will wait until after next election. Congress ought to have been called in session immediately after the close of the last session to settle this great question, this greatest calamity that ever come to the American people, this greatest problem that has confronted the people—equality of agriculture—the greatest problem since the abolition of slavery itself.

Mr. WATSON. I cordially agree with the Senator as to the momentous character of the problem which confronts agriculture at this time and demands solution at the hands of the American Congress. I have no doubt at all about the character of that problem. I believe, as strongly as the Senator believes, that the time has come when steps must be taken to rehabilitate agriculture in the United States and bring it to the level of industry in accordance with the campaign pledges of both parties, so we shall have a full-rounded, symmetrical civilization in the United States. But I do not agree with the Senator, nor with my friend from South Dakota, as to the method which shall be pursued to reach that desired objective.

We have been talking about the remissness of the Republican Congress with regard to the agricultural schedule. The truth about it is that the very first thing we did was to enact an emergency tariff law. Is there any one here sorry that we enacted that law? I wonder if my friend from Iowa or my friend from South Dakota will say that he did not rejoice in the effect of that act? Everybody knows how beneficially it resulted to the agricultural interests of the United States. The Tariff Commission itself found, after a full hearing on the subject, that it had saved the wool industry of the country from absolute destruction and greatly aided the dairying industry of the United States as well. I do not think that proposition can be successfully controverted.

Mr. FESS. Mr. President, will the Senator yield?

Mr. WATSON. I will.

Mr. FESS. The Senator remembers that in the House the emergency tariff act was almost nonpartisan.

Mr. WATSON. It was nonpartisan.

Mr. FESS. The Democratic Members voted for it the same as the Republicans.

Mr. WATSON. I am glad the Senator called my attention to that fact.

Mr. BROOKHART. And since that time nearly a million farmers have lost their homes in the United States.

Mr. WATSON. Mr. President, I am agreeing to what the Senator said about the problem and its seriousness, but he and I do not agree at all as to the method by which the problem should be solved.

After the crushing depression of 1921 had wrought its destruction to agriculture, Congress immediately set out to discover some methods of relief. We passed the first emergency tariff act. We revived the War Finance Corporation and placed \$500,000,000 at the disposal of the farmers and stock growers of the land. We at that time thought it would be helpful, and greatly helpful, to the agricultural interests of the country. We established intermediate banks of credit and made possible a supply of money to the farmer at reasonable rates and on long terms, so that he could not be forced to rush all of his products to market at once in order to meet his obligations, and thus further depress the price of all he produced.

The present tariff act was written to meet the demands of the friends of agriculture. It is not altogether true that the farmer sells in an open market and buys in a protected market,

for a large percentage of all that he uses on his farm or in his home is on the free list, while there is imposed the highest rate on agricultural products coming into this country from other countries that was ever levied by any tariff law in the entire history of tariff making in the United States.

It may be true that those rates are not effective, but nevertheless when we passed them we did so in the best faith and believed they would be adequately protective, because it was a protective-tariff Congress, which believed in the doctrine of protection and in its immediate application to the affairs of the country as they then existed. It has since transpired that we have found that many of those rates are not sufficiently protective, but at the time they were passed they were passed in the best of faith, and the heads of the agricultural interests and industries in the United States represented in the city of Washington indorsed every one of those schedules and at that time said that they would be adequate, and on their recommendation and with their consent we passed the agricultural schedule.

My friend the junior Senator from Arkansas [Mr. CARAWAY] said it is all "bunk." It is not "bunk," by reason of the fact that but for this agricultural schedule and the rates it imposed agriculture in the United States to-day would be infinitely worse off than it is, and I do not think that is a controverted proposition.

Mr. WALSH of Montana. Mr. President—

Mr. WATSON. I yield to the Senator from Montana.

Mr. WALSH of Montana. Does the Senator include wheat in that statement?

Mr. WATSON. Part of the time; not now. Of course, that is an unfortunate condition. The condition existing with regard to wheat has not always existed and will not always exist. Circumstances change as production increases or as the demand increases or as the world production increases. There is no question about that. We can not always adequately measure a tariff through the coming ages or centuries or decades by the condition that exists now. We may levy tariff rates now that are adequately protective, but everybody knows that because of changed conditions in industry and agriculture, in production and in consumption, the whole thing may be upset or largely so.

Mr. WALSH of Montana. Mr. President, will the Senator say how the condition as respects wheat differs from a year ago?

Mr. WATSON. I can go into that, but will the Senator wait and let me do it in my own good time?

Mr. SHIPSTEAD. Mr. President, will the Senator yield for just a question?

Mr. WATSON. I yield.

Mr. SHIPSTEAD. The Senator will agree that no tariff is adequate unless it is effective, will he not?

Mr. WATSON. Certainly.

Mr. SHIPSTEAD. So it is useless to talk of adequate schedules when at the same time we know they have not been able to operate and have never been effective.

Mr. WATSON. My only answer to that is, as I said, that at the time we passed this schedule we thought it would be adequate. We had the best advice in the country on the question and that advice was that it would be adequate.

Mr. SHIPSTEAD. Did the Senator think it would be effective?

Mr. WATSON. I thought it would be effective, certainly.

Mr. SHIPSTEAD. Has the Senator changed his mind?

Mr. WATSON. I have changed my mind on that point because conditions have forced me to change my mind on the question. I have not any doubt about that now. New conditions have come and I think that we have to meet those new conditions. I have been for two years trying to get a bill passed which, while not dogmatically asserting that it is the only measure that will cure the situation, yet I conscientiously believed that it would, and I still believe it will, if we give it an opportunity to be tried in the United States.

The real problem that confronts the farmer at this time is to maintain the tariff, as I understand it, for all phases of our industry alike. The farmer sells but about 10 per cent abroad of all he produces and about 90 per cent at home. It would be, according to my view, a wicked and wanton policy to destroy the market in which he sells his 90 per cent in order to attempt to increase the 10 per cent, for the whole world is becoming rehabilitated agriculturally, and the competition of all agricultural products abroad will be keener in the days to come than it has been at any time in the past.

Let us remember that the exports of grain and grain-food preparations for 1925 were less than for 1924, and in 1926 were less than they were in 1925. This decline in exports is due to two reasons:

First, the European nations are recovering their agricultural capacity. In reality they are making greater efforts to stimu-

late agricultural production. They learned in the war that they must make themselves as nearly self-sustaining as possible and to that end must revitalize agriculture in their respective countries. In addition they have learned the necessity of reducing imports in order to help balance their budgets, and thus they are making every effort to raise as much food at home as possibly can be done.

Secondly, it must be remembered that the wheat area in Canada has increased from a pre-war average of 10,000,000 acres to 22,000,000 acres in 1925, while there are still large uncultivated areas in that country suitable for wheat production. A recent report of the Agricultural Department shows that the Australian wheat area has increased from a pre-war average of 7,600,000 acres to 10,800,000 acres. The wheat area in those countries together is now about 53 per cent above pre-war average. New Zealand and Australia have just finished a season in fine shape. The further development of the western Provinces of Canada and the recovery of Europe are adding to the world's supply.

Therefore, I contend that what the farmer wants to do is to enlarge his home market. What the farmer wants is more hungry mouths to feed and more empty stomachs to fill. He wants more men working in the factories and in the mines and in the forests and on the railroads, and he wants them paid the American wage rate, the highest known among men, in order that right at home they can pay the American farmer the best price paid for agricultural products paid anywhere in the broad circle of the earth.

That is the American system of protection, and throughout the years it has worked so marvelously that our country today stands easily first among all the nations of the world in our universal prosperity. I do not say that it is directly the outgrowth of the protective-tariff system alone, but I say that it is largely the result of the protective-tariff system operating through the years, because it is our policy as protectionists to promote production in the country. We believe that production should be unlimited and unhampered; that we should not put it in leading strings. The United States should do everything its resources and its labor, skilled and unskilled, its capital, its inventive genius, will enable it to do, because it is a truism from which there is no escape that if we care for the producer the consumer will be in a position to care for himself.

Furthermore, the report of a survey made by a special commission under direction of the foodstuffs division of the Department of Commerce in 1925 states that only one-tenth of the wheat land of the Argentine and only one-sixth of the wheat land of Canada is at present under cultivation and that virgin soil in each country is being utilized in an increasing quantity each year. This report also points out that, because of cheap land and other cheap production costs, crops and livestock can be produced in these countries at a much lower figure than they can be produced in our country.

Additional evidence is supplied by the report of a special representative of the Bureau of Animal Industry of the Department of Agriculture covering the livestock industry in the Argentine. This report asserts that, after taking into account all of the cost of production, cattle in the Argentine can be produced for 75 cents per 100 pounds, which is below any possible cost of production in the United States.

We all remember that the Tariff Commission in 1924 submitted to the President its report on the difference in the cost of producing wheat in Canada and in this country; we have discussed it, and I shall not again go into it, but if the tariff on that product be inadequate, then I am in favor of making it adequate. That is why I favor the McNary-Haugen bill.

I do not dogmatically assert that that is the only measure that can produce this result, but I do believe that it will produce it, and I favor it because I think it is the best solution of the problem that yet has been presented to the American Congress, and it is the one solution that has the almost unanimous support of the agricultural interests of the United States.

Mr. BROOKHART. Mr. President, when the Senator from Indiana says that if the tariff is inadequate he is in favor of making it adequate, how is he going to do that without doing anything at all?

Mr. WATSON. I will tell the Senator all about that.

Undoubtedly these causes operate to the advantage of the producer of food in these other countries and, undoubtedly, these causes are driving our farmers out of the European market because of the fixed fact that all of these other people are able to undersell him in the world market and yet make a profit.

The National Industrial Conference is an organization of industrialists, financed by capitalists and conducted by men of wealth. Its object is to investigate every phase of American

industry and to report its conclusions to the American public. At the beginning of 1925 they employed the finest experts they could command in this land, who put in one whole year investigating the conditions of agriculture in this country as compared with the condition of agriculture in other countries and as compared with other phases of American industry and activity. Those experts have no hesitancy in predicting that the American exports of farm products to foreign markets must rapidly be reduced in the future because of the conditions set forth by these various reports of our governmental agencies and because of conditions which these experts found existing here and elsewhere around the world.

What, then, would be the condition of the American farmer if our whole tariff system were to be abrogated and we at once entered upon a policy of universal free trade?

Mr. WALSH of Montana. Mr. President—

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Montana?

Mr. WATSON. I yield.

Mr. WALSH of Montana. Was not that the same commission which recommended a reduction in tariff rates, as is suggested in the pending resolution?

Mr. WATSON. The Tariff Commission?

Mr. WALSH of Montana. No; the commission to which the Senator from Indiana is referring.

Mr. WATSON. The Senator states they recommended what?

Mr. WALSH of Montana. I refer to the Industrial Conference.

Mr. WATSON. No; I do not think so. That was a special commission, I understand, headed by ex-Secretary of Commerce Nagel, of St. Louis.

Mr. WALSH of Montana. Exactly; it was the Industrial Conference.

Mr. WATSON. If it was a part of the Industrial Conference, I do not recall it. I think it was especially appointed. I do not think it was a part of the Industrial Conference. It was appointed by the United States Chamber of Commerce.

Mr. WALSH of Montana. It was the Industrial Conference that recommended as one of the measures for relief a reduction of tariff rates, exactly as is suggested in the resolution under consideration.

Mr. WATSON. The pending resolution does not suggest any rates, I will say to my friend from Montana.

Mr. WALSH of Montana. I will put the report to which I refer in the Record.

Mr. WATSON. I know what the recommendation is, but I did not agree with it, and do not agree with it now. I can not understand it.

Mr. WALSH of Montana. The Senator, however, was quoting from it.

Mr. WATSON. Oh, certainly.

Mr. WALSH of Montana. That is why I interrupted the Senator.

Mr. WATSON. I may quote many things from my friend from Montana that I believe, and others that I do not believe, because we do not concur, that is all; although I know he is honest in making any statement. But the point about it is that they recommended that the tariff be lowered in order to help agriculture. To my mind that is an unthinkable proposition. If the tariff schedules generally be lowered very much, if the American laboring man is interfered with, if he is driven out of business in any great number, if his capacity to buy is limited or curtailed, then we should not help the agriculture of the United States. We should strike down agriculture in this country in that proportion and to that degree. I do not think there is a doubt about that in the world. It has been demonstrated over and over again. That is why I can not agree with my friend from South Dakota [Mr. McMASTER]. He does not say what schedules he proposes to revise; he does not say how much he proposed to revise them; he does not say anything about revising them in accordance with the protective tariff idea so as to measure the difference in the cost of production at home and abroad. He does not say that the American market is to be preserved either for the American farmer or for the American manufacturer. Therefore, I am not in favor of this resolution.

Mr. McMASTER. Mr. President, will the Senator yield?

Mr. WATSON. Certainly.

Mr. McMASTER. Most assuredly it is absurd to introduce a resolution for tariff reduction enumerating exactly the schedules which ought to be changed, stating specifically what the rates ought to be. If I have not any better reason for presenting the resolution in its present form I have the platform of the Republican Party of 1908, in which that party went on record in favor of a revision of the schedules downward but

did not specify a single schedule that ought to be reduced. No one would think of introducing a resolution or entering into an arrangement of that kind specifying the schedules. It is a question that ought to come up for consideration by the Congress and be thoroughly threshed out.

It seems to me the distinguished Senator from Indiana ought not to expect, and does not expect, a resolution of that kind to go into detail, even though he were in favor of it.

Mr. WATSON. That is the very reason I am against this resolution.

Mr. McMASTER. And in addition, I wish to say to my distinguished friend the Senator from Indiana that if I were going to vote against the resolution I would do exactly what he proposes to do, only in that case I would take up the aluminum schedule and would demonstrate to the satisfaction of the Senate that that schedule was just, that it was necessary, that all the excess profits accorded the industry are a good thing for the country at large. So I would take up the dye and chemical schedules and I would go through all the schedules. I would search through the profits accounts of certain corporations engaged in those businesses, which are making enormous profits, and then I would justify my position that those schedules ought to be maintained and preserved for the purpose of permitting that condition to continue.

Mr. WATSON. Mr. President, I do not believe that a general resolution of this kind adopted by this body can at all be effective in helping the farmer or helping agriculture or promoting industry in the United States. I can not get it into my mind that any such result will occur, and, because of that fact, I can not support it.

Mr. President, the last tariff for revenue bill placed all farm products, grains, vegetables, all fruits except a few grown exclusively in the South, sugar, fresh meats and meat animals, dairy products, poultry, eggs, and wool on the free list. Please do not forget that the object of a tariff for revenue is to produce revenue, and that in order to produce revenue there must be a tremendous volume of imports from abroad or else revenue will not be produced and that policy would thus fail in the very object of its adoption. Please bear in mind also that whenever we buy articles made abroad we do not buy articles made in the United States and thereby to that extent destroy the ability of the people to buy. This is precisely what followed the tariff act to which I have just referred. During the first 12 months of the operation of that law there were imported into this country grains, potatoes, hay, butter, cheese, eggs, poultry, meat, cattle, horses, sheep, and wool from Canada; butter, cheese, and eggs from Europe; eggs in vast quantities from China; cattle, fresh meats, wool, and hides from South America and Australia; in total value of \$350,000,000 more than the aggregate importations of like products during the entire preceding tariff administration.

I call the attention of my friend from South Dakota [Mr. McMASTER] to the fact that we can not hope to reduce the tariff on manufactured products, and at the same time raise the tariff on agricultural products unless there be reason and justification for doing it. I am in favor of increasing rates on certain agricultural products as I have studied them; I might vote in favor of reducing the rates on manufactured products in certain schedules, but I am not one of those who believe that we can pull down industry and at the same time lift up agriculture by striking down below a just normal or medium the rates on manufactured products and raising them above that medium on agricultural products. I may say that this is one country; that agriculture and industry must go side by side; that we must have one law in the United States, and we can not aid and lift up agriculture at the expense of industry and then accomplish what we start out to do for agriculture. Is not that just as plain as that two and two make four?

Mr. BROOKHART and Mr. KING addressed the Chair.

The PRESIDING OFFICER (Mr. WALSH of Massachusetts in the chair). Does the Senator from Indiana yield; and if so, to whom?

Mr. WATSON. I yield first to my friend on this side, and then I will yield to the Senator from Utah.

Mr. BROOKHART. I should like to ask the Senator from Indiana what it was that pulled down 177,000 corporations in the United States with a \$2,000,000,000 loss a year for five years?

Mr. WATSON. I will say to my friend that that is partly due to low tariff rates on importations.

Mr. BROOKHART. Yet the Senator does not want to do anything about the tariff until after the election.

Mr. WATSON. Oh, well, we are all right; we will do it after the election, and do it in good time.

Mr. KING. Mr. President—

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Utah?

Mr. WATSON. I yield.

Mr. KING. I assume that the Senator is making the contention—and I do not say this by way of facetiousness—that the tariff increases the price of the domestic product which is protected by the tariff. Starting out with that assumption, it is obvious then that the Senator believes that the maintenance of the tariff is necessary in order to increase prices. If the maintenance of the tariff increases the prices of manufactured articles and of all commodities affected by the tariff, obviously to the farmers it means an increase in the cost of the things which they must buy. If, therefore, the tariff were reduced, would it not follow that there would be a reduction in the price of commodities, and if there were a reduction in the price of commodities purchased by the farmer does not the Senator believe that that would be advantageous to the farmer?

Mr. WATSON. Mr. President, I will say to my friend that that is the old tariff-for-revenue argument which has been used ever since the foundation of the Government; that the tariff is a tax; that it is imposed upon imports and that the people pay the tax. The truth about it is that we have had that argument put forth in Democratic campaigns over and over again, that the tariff is a tax; we have heard it ad libitum, and ad nauseum. Now, let me say this to my friend—

Mr. KING. Mr. President—

Mr. WATSON. If the Senator will pardon me, let me say that after a tariff is imposed, if there be no competition in the United States in the particular commodity, the tariff is a tax; it is added to the price, and the people have to pay it; but that condition exists only for a short time; that condition obtains only until that industry can establish itself in the United States, when competition among those producing that very article in the United States tends to bring the price down to where it ought to be, to where the law of supply and demand operates. I could illustrate by citing any number of articles, if I cared to do so, but it is far afield from what I am trying to say at this time, and I do not wish to be diverted. However, I might mention, for instance, tin plate; I might mention pearl buttons, or the wool schedule, or the cotton schedule, or the iron and steel schedules, and show that at the time tariff rates first were imposed, and for a short while thereafter, there was an increase in prices, but after the industry became thoroughly established in the United States the competition at home, the domestic competition, cut the prices down to about where they ought to be and where the law of supply and demand operated. Then the danger is that the tariff, which made possible this growth and development, may be torn down; that the laboring men in American institutions may be brought into direct competition with laboring people abroad, who receive from one-third to one-half as much as do the operatives in American industries, and that those industries may be destroyed or closed down, until the sky is clear, and until the protective tariff policy is once more reestablished in the United States. That has happened six times in the United States.

Every time we have changed the tariff it has been invariably accompanied by commercial depression and industrial disaster. The only way in which we have ever gotten out of it has been by the reestablishment of the protective tariff as the policy of the Nation, which again has caused capital to be reinvested and labor to be reemployed and brought prosperity back once more to the people of the United States. That is not "political bunk," as my friend from Arkansas might say; that is irrefutable history which no man may successfully dispute.

Mr. BROOKHART. Mr. President—

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Iowa?

Mr. WATSON. I do.

Mr. BROOKHART. Does the Senator insist that this prosperity applies to the farmers of the United States, and also to the 40 per cent of corporations which are operating at a loss?

Mr. WATSON. Oh, I have said to my friend time and again that I agreed thoroughly with him about the position of agriculture in the United States. I have no doubt about that.

Mr. BROOKHART. I do not like to hear this "prosperity" talk when it applies only to a third of the people of the United States.

Mr. WATSON. I have not said a word about prosperity—not a word. I have been describing the conditions that exist; and I am saying to my friend now, if he will permit me to use an ordinary street expression, that if he pulls down the tariff on industry he will saw off the limb he is sitting on, and saw it off next to the tree, and great will be the fall thereof.

Mr. FLETCHER. Mr. President, may I ask the Senator a question there, pursuing this thought that the tariff is a tax in the early stages of its imposition, and afterwards manufacturers get on their feet and compete with each other? That is a very pretty theory; but is it not the actual experience that the manufacturers who have been built up as a special privilege by reason of this tax then get together and form a trust or monopoly, and control the price of the product?

Mr. WATSON. That is not the fault of the tariff. That is the fault of other laws. We have passed laws against that sort of thing in the United States.

Mr. GEORGE. Mr. President, let me ask the Senator a question.

Mr. WATSON. Just a minute, please. Let me make the ad hominem argument to my friend from Florida. I notice that when the tariff is up he is entirely willing to vote a tariff on citrus fruits coming into this country from other countries, and on tomatoes, and on other things produced in Florida. My friend has great anxiety to protect the particular things produced in his own State, while he believes in free trade for all the remainder of the Republic. Is that fair?

Mr. FLETCHER. That is not quite accurate, either. I never have believed in free trade.

Mr. WATSON. Pretty close to it.

Mr. FLETCHER. I never have believed in free trade, and I contend that there should be a tariff. My thought in that connection is that the only duty I have ever asked, either on citrus fruits or on tomatoes, is a revenue-producing duty. Then, again, I may say to the Senator that citrus fruits are not an absolute necessity anyhow. They are more in the nature of a luxury than a necessity.

Mr. SHORTRIDGE. Mr. President, will the Senator from Indiana yield to me?

Mr. WATSON. Yes. Here is another citrus-fruit man. We will listen to him.

Mr. SHORTRIDGE. I recall with great pleasure the masterly argument made by the distinguished Senator from Florida in support of his amendment to the tariff bill increasing the tariff duty from one-half cent to 1 cent a pound on grapefruit. The Senator argued persuasively and convincingly that there was a pressing, vital necessity for that increase. I joined with him, and the rates were raised, and are now 1 cent per pound on grapefruit.

Mr. WATSON. And everybody is happy.

#### RENEWED EVIDENCE

Mr. President, in 1921 a Joint Commission of Agricultural Inquiry was established, consisting of Members of Congress, representing both the Senate and the House, and both political parties. It made a report announcing its conclusions as a result of all its investigations in response to a resolution passed by Congress. In order that you may have a just idea of the fairness and representative character of this commission, I give the names of its personnel: Senators CAPPER of Kansas, LENROOF of Wisconsin, and McNARY of Oregon, Republicans; Senator ROBINSON of Arkansas, the Democratic leader, and Senator HARRISON of Mississippi, Democrats; Representatives ANDERSON of Minnesota, MILLS of New York, and FUNK of Illinois, Republicans; and SUMMERS of Texas and TEN EyCK of New York, Democrats. Therefore, there can not be charged any partisanship or effort to play politics against this committee or its report.

Their conclusions were signed by all of the Members, without a single exception, and very clearly announced that as an invariable rule exports of farm products have very little to do with domestic farm prices, but that on the other hand there is the closest possible relationship between farm prices and domestic consumption; and, further, that the history of farm prices in our country justifies the statement that industrial depressions in the United States are always accompanied by a decline in farm prices, simply because industrial depression means lessened domestic consumption.

Every farmer knows these facts to be true, and can easily prove it to any doubter by referring to the figures of 1921, in which year we exported \$2,607,641,000 worth of agricultural products, or a greater quantity than in any other peace year in the entire history of the Nation; and yet, notwithstanding that fact, 1921 was the year in which the agricultural structure of the country collapsed, and left our farmers in the most distressing condition they have ever known. The reason was that 5,000,000 men were out of employment, that their capacity to buy was largely curtailed, and, in addition to that, cheap agricultural products were coming into this country from elsewhere about the world. The emergency tariff checked the one, and the McCumber tariff checked the other; and since that time agricultural products

have steadily increased in price, though they have not yet reached the level to which they should go if agriculture is to be placed on a parity with industry in the United States.

#### THE McNARY BILL

And how is that task to be accomplished? Many of us sought to bring it about by the passage of the so-called McNary bill through the Senate. The object of this legislation was to secure a greater degree of stability in the price levels of corn, wheat, hogs, and cotton in this country. We proposed to do it by placing at the disposal of the producers a mechanism with the assistance of which they could control the handling and marketing of crop surpluses, thereby preventing price fluctuations and securing in domestic markets the price benefits of the protective tariff.

Secretary Mellon in his celebrated letter correctly states one principle, as follows:

Farming differs from most industries in that the output largely fixes the price, whereas in manufacturing price largely controls the output.

In other words, by reason of closely organized and effective methods, the manufacturers of any given product are in a position to determine about what the demand for that product will be for the ensuing year and to regulate production accordingly. The farmer is in no such favorable position. There are six and one-half millions of them in the United States, and there is no possible way in which they can be organized so as to fix the quantity of the production of any crop, and even if they could definitely arrange to have a certain number of acres planted, for instance, to wheat, no human foresight could possibly determine the amount of wheat that could be produced on that fixed number of acres. As an illustration, no prophetic insight could possibly have foretold six months ago the amount of wheat that would be produced in Indiana this year, for the quantity and quality alike surprised everybody; and the same thing is substantially true of every year of every product.

Because of this fact we sought to set up a mechanism that, through the operation of a governmental agency, would enable the farmer to do what the manufacturer does, and which manufacturers by reason of their limited number can do, and which farmers by reason of their great numbers can not do.

If farmers could be compactly organized for the purpose of cooperative marketing, the whole problem would be solved, for production might at least be partially regulated and products could be fed into the market at such a rate as to hold up the price; but at the present time that is not possible, though one of the very objects of the McNary bill was to aid in making cooperative marketing effective.

#### THE SURPLUS

Notwithstanding all that has been done for the farmer in the way of legislation, there is one other thing that must needs be done, and that is to make arrangements by legislation to take care of his surplus product, for any solution of the farm problem that does not take into consideration the disposition of the surplus must of necessity fall far short of the mark.

Opposition to this measure was twofold; first, to the aim itself; secondly, to the means proposed by the bill.

The aim of this legislation is to prevent relatively small annual surpluses above domestic requirements from depressing the prices of the whole crop below the cost of production. It is only when the producer must offer his surplus in the competition of the world market that he is forced to take the price determined by the world supply of any given crop. As to such a crop the protective tariff affords slight relief, because the producer becomes the victim of world supply and world demand. If the world produces a large surplus of any crop, that surplus fixes the price for the whole crop. If there be a great world surplus of any crop, the protective tariff will keep the domestic price above the world price and at the top of the tariff wall only in case the domestic crop is about sufficient for domestic consumption; but if there is not only a large world surplus but a large domestic surplus protective tariffs can not possibly raise the domestic price.

For instance, let us suppose that we produce 650,000,000 bushels of wheat and consume 650,000,000 bushels at home, and further, that there is no large world surplus of wheat. Then the surplus sold abroad would not depress the price of the domestic supply sold at home, and this might possibly be true even without a tariff, but only if there were no world surplus.

On the other hand, let us suppose that we produce 700,000,000 bushels and consume 600,000,000 bushels at home and that at the same time there is a large world surplus. Then the world price obtained for the 100,000,000-bushel surplus sold abroad undoubtedly fixes the price of the 600,000,000 bushels sold at home, and the tariff is of little or no avail to change the result.

Therefore in the McNary bill we sought to set up a mechanism that would be able to determine as far as is humanly possible about what the surplus would be, if any, here and in the competing countries of the world and then to buy up and take off of the market that surplus, thereby enabling the American supply to just about meet the American demand; in which case no living human being can deny that the tariff would be effective and that the price of the domestic product would be lifted to the top of the tariff wall.

Under the provisions of this bill the surplus bought up by those in control of this device could be fed into the world market at the most favorable times and under the most favorable conditions to get the largest possible price out of it, and then whatever loss might be suffered by its sale abroad at the world price could be collected, and under the terms of the bill was to be collected, from all the producers of wheat in the country, the collection to be made from the first processor.

No one disputes that American farm costs of production are higher than those in other countries of the world; and, further, no one can gainsay that legislation creating artificial conditions largely made and keeps them so. Protective tariffs make and maintain higher wages; higher wages make higher costs for all that the farmer buys; our immigration laws shut out labor from other lands, and the demand for labor in this country increases the cost of labor to the farmer. The Adamson law fixed eight hours as the standard day's labor on all railroads, and this became the standard in all industry, thus adding to the production cost of what the farmer buys. True, this high-priced labor furnishes a market for the farmer and enhances the prices of his products; but unless his surplus crop be taken care of in the same artificial way, he does not get the full benefit of the industrial prosperity produced by this artificial legislation. Our entire national policy has been to build up our farm production on a surplus basis, and because of this surplus our prices, both at home and abroad, are determined by foreign rather than by domestic costs. Therefore the tariff is not effective for the farmer on these surplus crops, and the problem that confronts us is to make it so.

#### THE PROBLEM STATED

The surplus can be controlled in one of two ways: First, by eliminating 25 per cent of the farmers and forcing them into the cities because of their inability to make substantial profits on the farm; secondly, by handling by artificial means, aided by the Government, the surplus, thus enabling the farmer to make a profit on his production. Our opponents do not argue that we should cease producing food for export, but what they do squarely say is that we must sell our farm products at home at the same price that foreign labor pays. That has been repeated over and over again until it may be said to be the announced policy of the opponents of any plan to raise farm prices in America. In other words, the tariff must not be permitted to work to equalize the differences in production costs on farm crops between the United States farmer and his low-standard competitor abroad.

I do not believe this is a tenable position for an advocate of the doctrine of protection, of whom I am one, to take, and I ask my friends to bear in mind that the maximum difference between the price abroad and the price at home, whether under any proposed legislation or because of a shortage in production that makes the tariff effective, would be the tariff itself, and that difference would still exist if we lessened our production so that there was a domestic shortage. In that event the logic of our opponents would unquestionably lead them to advocate a repeal of all agricultural tariffs, because, if they are effective, they would maintain an American price for the American farmer above that which foreign labor has to pay.

#### OUR OPPONENTS' ARGUMENT

Their contention can only mean that they are opposed to a tariff that works for the farmer. In other words, they advocate for America the same step toward industrialization of the Nation at the expense of agriculture that was taken in England in 1846. And if we continue to drive the farmers from the farm into the city, until there comes a time when the urban population greatly dominates and overwhelms the rural population, and the price of agricultural products is enhanced because of that fact, with lessened production and an increase of consumption, then those in the city having the vote will insist on absolute free trade in our agricultural products, just as they did in England in 1846, and, in my judgment, that is the situation that to-day confronts American agriculture. That is why I plead with my protective tariff friends, whether it be in the East or in the West, to help us solve this agricultural problem, to put agriculture on a sound basis, protect it as we must protect it by the protective tariff, and if the tariff be not

sufficiently protective, then by some other agency that may make the tariff effective.

#### THE McNARY-HAUGEN THEORY STATED

I am one protectionist who believes that the wheat tariff, for example, was imposed for the express purpose of enabling the farmer to obtain a higher price for his product than that obtained by his foreign competitor in wheat production, the price to equalize the difference between his production costs and those of his competitor abroad. The very object of the tariff is to give the American producer an increased price over his foreign competitor. That was the aim of the McNary bill, for it simply supplemented the tariff, making it effective where-in, because of surplus crops, it would be ineffective. Our opponents frankly admit that it would have this effect, but state that it ought not to be done because it would cause foreign labor to pay more for American crops than American labor would be compelled to pay, and thus subsidize them to that extent.

But our friends are opposed to the aim itself. They say that, if you make the tariff effective for the farmer by legislation of this kind, you will raise the cost of living in this country. But any scheme of any kind that might be adopted to make the tariff effective would do precisely the same thing in an exactly equal degree. Any step, voluntarily taken by the farmer, or induced by governmental aid, that would secure a fair price to the farmer would do exactly the same thing, namely, enhance the price. So what our friends oppose when they raise the cost of living argument is really a profit for the farmer, no matter what causes it or what steps are taken to produce it.

I call attention to the fact that the American Federation of Labor takes no such position. Its representatives testified that they wanted the farmer to get a fair price; that they were satisfied that a great many farmers were not producing their crops at a profit, and that they did not want anyone in the United States to work for less than a living and saving wage. Furthermore, they are aware of the fact that almost 1,000,000 farmers a year are driven from the farms to the cities to compete with labor, thus reducing the number of producers and at the same time enhancing the force that competes with them for their jobs.

#### FURTHER OPPOSITION

Our friends argue that we should not do anything that will cause our workmen to pay more for what they buy than the foreign workman pays. As an industrial high protectionist I could not without inconsistency support that position. If our friends mean that we are to maintain an industrial organization that can compete for world trade at the expense of our farmers by compelling the farmer to sell at home at the foreign price, then I must part company with them, for I believe that the protective tariff should be made to apply to all phases of American industry alike.

Our friends complain that by this scheme we sell wheat, for instance, abroad cheaper than at home, and that that should not be permitted. But these same gentlemen were advocates of the Edge bill, by which all sorts of industrial concerns are permitted to combine, without being subject to the operations of antitrust laws, for the very purpose of selling their products abroad cheaper than at home. That law is in operation and results in what I believe great good to the country, but if this plan is applied to the products of the factory, why may it not with equal force and equal intelligence be applied to the products of the farm? Undoubtedly it can be and it should be, and this cry of selling abroad cheaper than at home can be set up against almost every industrial institution in the land. Notwithstanding their foresight and their ability and their power to organize and their knowledge of world conditions, the manufacturers of any given product may have a surplus they do sell abroad cheaper than at home in order that they may maintain the integrity of their organizations and keep their factories at work. This is entirely feasible, and should not be objected to by any reasonable man.

Furthermore, our opponents say that if our proposed legislation secures a better price for the farmer it would tend to stimulate production and to reduce consumption. If that be true of the price increase secured under legislation we propose, it is true of any price increase; for instance, one secured by cooperative marketing. The dominant idea in that argument is that there must be no increase in farm income because such an increase would be followed by a corresponding increase in farm production. If this is an argument against our proposed legislation it is also an argument against any attempt to improve farm prices by voluntary action of individual farmers in reducing acreage, or by voluntary efforts of farmers through cooperative marketing.

There is much more reason to become alarmed over the downward trend in agriculture than to fear for its considerable

expansion. You may find food for thought in the fact that wheat acreage in 1925 was 389,000 acres less than it was in 1899, although the population during that period had increased from 74,000,000 to 112,000,000.

As for the effect of price on consumption, I need but state that the figures conclusively prove that the per capita consumption of wheat has decreased 25 per cent during a period when the purchasing power of labor was the highest in the history of the Nation and the exchange value of wheat the lowest. Our opponents say in effect that the American public must get its food at the same price as Europe and Asia, but, with the others who supported the McNary bill, I maintain that the American public is willing to pay the American farmer a protected American price for what he produces, and that is all he demands.

#### OTHER FALLACIOUS ARGUMENTS

There are those who contend that we should equalize the farmer and the manufacturer by pulling the manufacturer down rather than by lifting the farmer up. The farmer himself might be attracted to that argument of cheaper prices all around, his own included, if he were out of debt. But the incumbrance, which amounted to but \$4,000,000,000 in 1910, had climbed up to \$12,500,000,000 in 1920, and is still higher to-day.

The Census Bureau, which is completing its 1925 farm census, shows that the 17 States whose figures are tabulated have increased their farm mortgage indebtedness \$323,000,000 since 1920 and the value of the mortgaged land in the same time dropped off over \$1,000,000,000, so that the ratio of farm debt to land values had jumped from 28 per cent in 1920 to 43 per cent in 1925.

The farmer is entitled to a chance to pay that debt with a product high in dollar value, and he wants to be equalized up, not down. The remedy proposed by the Senator from South Dakota would, if effective, be equivalent to multiplying the size of the farm debt instead of aiding the farmer to pay it.

I am just as much in favor of adequate legislation to help the farmer as my friends dare be—or as anybody else dare be—because I realize that the one great overwhelming problem that to-day confronts the American people is the rehabilitation of American agriculture in the United States of America.

#### ANOTHER OBJECTION

Other objectors take the position that the equalization fee proposed in the McNary bill would be passed on to the consumer. In fact, the ultimate increase in price to the consumer would be the tariff, out of which the fee is deducted from the farmer's price. The farmer is entitled to the full benefit of the tariff, and yet he is willing himself to deduct the equalization fee from the amount he is to receive if he sells his product up to the top of the tariff wall. If the farmer could so easily pass on his cost to the consumer, he would not be seeking legislation or artificial means to enable him to obtain a fair price.

There are those who, contrary to all the facts, continue to state that the Government makes some guarantee against loss to the farmers by the provisions of the McNary bill, when, in truth and in fact, there is no guarantee provision whatever in any way.

Those who oppose this measure prophesy increased production and decreased consumption and then wind up with the sweeping statement that, if a plan of this kind can be applied to farm products, why can it not be applied to all other products. The simple truth is that the textile people and the shoe manufacturers have done everything they knew to secure the passage of legislation that fits their particular case, and I think justifiably so. Surely our friends are not serious when they compare such industries, with their accurate control over output and their ability to shut down without continuing high costs or plant disintegration, with the farmers who have none of these advantages.

#### COOPERATIVE MARKETING

I am a believer in cooperative marketing, but it will be a long time before it can be made to work successfully over the whole country. The number of persons involved, the complexity of details, the difficulty in controlling the members, and the almost insuperable task of agreeing on the subjects to be operated on and the costs of operation all work together to break down the scheme, and this is all the more so when applied to commodities which compete with world markets.

My own thought is, that so far as this plan relates to agriculture, it is purely a marketing one and can not become a production-controlling scheme. On a nation-wide scale its purpose necessarily will be confined to determining when and how to market crops, what crops shall be included, and to prevent speculation, and in what manner the middleman shall be dealt with. When it comes to a national crop that is just ample to supply the home demand, no artifice of any kind is necessary.

The law of supply and demand gives to the producer a profitable return under those conditions, and the object of the McNary plan is to withhold the surplus of any given crop from the market so that the law of supply and demand will operate, but on a higher level—namely, on a level equal with the top of the tariff wall.

This is not price fixing any more than the tariff is price fixing. For instance, we placed a tariff of 30 cents a bushel on wheat, the Tariff Commission found that the difference in the cost of production between this country and Canada is 42 cents a bushel, and the President raised the tariff to 42 cents. There are those among us who maintain that that is price fixing, but it is not, it is simply an effort to control world movement of a particular product so as to give American producers the benefit of higher general prices.

The American agricultural producers know what their own experience is in these respects, and I do not believe that the great body of our agricultural friends expect that the tariff rates will be lowered immediately, knowing just what that means in a legislative body.

#### ENGLAND'S EXAMPLE

In 1846 English statesmen came to the conclusion that that country could not produce a sufficient food supply for her great industrial population, and therefore adopted a policy of unrestricted free trade in all products of the farm, which policy it has since religiously maintained. The opponents of artificial legislation in this country might do well to consider the English example when they assert that a sufficient number of farmers should leave the farms to render farming profitable to those who remain, for England furnishes a striking example of the fallacy of this argument.

Notwithstanding the great urban population of England, no farmer can make a real living in that country. Notwithstanding his proximity to the great market, he is simply kept out of a profitable business by the cheap products of agriculture that come from all other parts of the world.

The same can happen to us in very large degree. Moreover, it must be remembered that there are now four times as many people who want cheap food as there are people who want high prices for farm products, and as this proportion increases, it will finally mean such a preponderant consuming population that they will vote free trade in agricultural products in order to secure cheaper food, thus subjecting whatever agricultural industry may remain to unlimited imports of farm products from all those countries in which it is so cheaply produced that no farmer in this country can compete and live.

#### CONCLUSION

Hitherto, our working folk in the city have been perpetually revivified and revitalized by the working folk from the country. The farm has furnished a good part of the backbone and sinew of the Republic; its moral strength, its conservatism, a check on the frequent and volcanic eruptions of the less staple portion of our people, and it is a wholesome influence in our entire national life. It would be an unspeakable calamity to strike all of this out of our civilization and to abandon utterly all of those strengthening and sustaining virtues that abound on the farm.

Therefore, let us accommodate ourselves to present conditions to the extent of utilizing our national policy in behalf of the farmer as well as in behalf of industry and labor. That is the true American policy. From it we have not departed in the past, and it has brought us to our present unrivaled position among the people of the world. From it we should not depart in the future, and it will lead us to still greater heights of conquest and achievement.

Mr. BROOKHART obtained the floor.

Mr. MCMASTER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. WALSH of Massachusetts in the chair). The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Bayard	Edwards	McKellar	Smoot
Bingham	Fess	McLean	Steck
Black	Fletcher	McMaster	Steiwer
Blaine	Frazier	McNary	Stephens
Borah	George	Mayfield	Swanson
Bratton	Gerry	Metcalf	Thomas
Brookhart	Gould	Norris	Trammell
Broussard	Hale	Nye	Tydings
Bruce	Harris	Oddie	Tyson
Capper	Harrison	Overman	Wagner
Caraway	Heflin	Ransdell	Walsh, Mass.
Copeland	Howell	Reed, Pa.	Walsh, Mont.
Couzens	Johnson	Robinson, Ark.	Warren
Curtis	Jones	Robinson, Ind.	Waterman
Cutting	Kendrick	Sackett	Watson
Deneen	King	Sheppard	Willis
Edge	La Follette	Shortridge	

The PRESIDING OFFICER. Sixty-seven Senators having answered to their names, a quorum is present. The Senator from Iowa will proceed.

Mr. BROOKHART. Mr. President, the discussion of the resolution has taken a broader field than the mere import of the resolution itself would seem to justify. In the latter moments of the discussion by the Senator from Indiana [Mr. WATSON] the question has presented itself in the form of whether or not we shall tear down the industries or raise agriculture up to the level of the prosperity of the industries. I do not hesitate to say that if it were possible to give agriculture the profits which are taken by the Steel Trust, which are taken by the Aluminum Trust, which are taken by the big combinations of capital, I would subscribe to that doctrine. But the Department of Commerce shows that the whole American production increases our national wealth only 5½ per cent a year. All of the work of all of our people, all of the earnings of all our capital, all the increase of property values, the unearned increment, and even the depreciation of the dollar added together from 1912 to 1922, increase our national wealth only by 5½ per cent a year.

Five and one-half per cent, then, is what we have to distribute in our country. That is what we have to divide out to the farmers and to all of the industrial enterprises. When a portion of the industrial enterprises take a greater share than 5½ per cent, somebody else must take less than 5½ per cent or the average would not remain. Therefore it is an absolute impossibility to equalize agriculture with these other things. The excess profits must be brought down.

I have pointed out that 177,000 corporations in the United States have operated at a loss for the last five years, and that loss has been an enormous amount, an average of almost \$2,000,000,000 a year. There is some equalization needed to give prosperity to this large portion, over 40 per cent, of the corporations of the United States, as well as 90 per cent of the farmers of the United States, who are at the verge of bankruptcy at this moment.

Our mortgage indebtedness has enormously increased and our foreclosures of mortgages, which reduced the mortgage indebtedness, have enormously increased. Our land values have declined some \$20,000,000. Everything has gone backward with agriculture and it is impossible to give agriculture equality without transferring some of the profits of the great combinations in our economic arrangement so that agriculture will reap their benefit.

Now let us see about manufacturing as a whole in the United States. Even since deflation there is about \$60,000,000,000 of capital invested in agriculture. There are about 12,000,000 workers on the farms of the United States; that is, men who make a hand on the farm. That does not count the women and children who work the year around on the farms. That \$60,000,000,000 and 12,000,000 of workers produce and have produced during the last five years a gross return or revenue of about \$12,000,000,000.

How is it in manufacturing, in the protected and patented industries? There is about \$40,000,000,000 of capital, in round numbers, invested in manufacturing, perhaps a little more, but not much. There are fewer than 9,000,000 workers in the industries of the United States, 8,778,000 being the exact figures when I last checked them. But this smaller amount of capital and smaller amount of workers, only two-thirds as much capital and only three-fourths as many workers, produces a gross value of \$60,000,000,000.

I might say that the comparison is not exactly fair on these figures because the raw material bill of the manufacturers is greater than the raw material bill of the farmers. But the farmers of the United States must expend 27 per cent of all their production as raw material—that is, feed, seed, work animals and breeding animals, and things that must remain on the farm permanently and continuously—in order to operate the farm.

It would be charged to the raw material account of the manufacturer. But at that there is still a greater percentage of raw material in manufacture, so I deduct \$16,000,000,000 for that item and it still leaves \$44,000,000,000 of production for the manufacturers of the United States as against \$12,000,000,000 for the farmers, and that on two-thirds as much capital with three-fourths as many workers.

What chance for prosperity does the farmer of the United States have, these 12,000,000 farmers with their \$60,000,000,000 of capital, when they bring their products for exchange into these manufactured products and must meet a gross value of five times their own produced by two-thirds as much capital

and three-fourths as many workers? There can be no prosperity under that condition.

The Senator from Indiana [Mr. WATSON] indicated that the cause of the high prices of manufactured products is the high wages of labor. Always when arguing against the position of the farmer the cause of his troubles is figured out to be the high wages of labor. But I added up the wages of the 9,000,000 workers in the industries of the United States, as reported by the Department of Labor, and their whole wages amounted to only about \$11,000,000,000. They receive actually less than 25 per cent of the gross production of the manufacturers of the United States.

I do not attribute all of this high value of manufactures in the United States to the tariff. I only attribute about one-half of the excess profits to the tariff and, perhaps, the other half is due to patent laws. I have tried to figure out a proportion of the causes of this great discrimination against agriculture. I think probably protective industries are only about one-eighth, on my own estimate, and, perhaps, patented industries about another one-eighth. I think that other laws, however, and other acts of Congress have contributed to produce the balance of this great discrimination.

Here we have the transportation act, passed by the Congress of the United States, and that act fixed the value upon the railroads of the United States by operation of law at, in round numbers, \$19,000,000,000 at the moment when they could have been bought on the stock-exchange market for less than \$12,000,000,000, adding \$7,000,000,000 of fictitious value legalized under that transportation law.

Then there was put in the law a guarantee for a return, a command to the Interstate Commerce Commission to allow a return of 5¼ per cent upon that fictitious value. Five and three-fourths per cent is more than the American people on an average can produce. If all the production of all this country went to capital alone and labor got none of it, it would amount to only 5½ per cent. With 5¼ per cent upon \$19,000,000,000 of value, when the actual value, the market value, is only \$12,000,000,000, it means over 9 per cent upon the actual value of the railroads.

That is one of the items which has produced this discrimination against agriculture in the United States. That is one of the reasons why the farmers of the United States must take 15 or 20 cents a bushel less, and did take 15 or 20 cents a bushel less, for the wheat they produced in this country this year than did the farmers of Canada, all traceable to the difference in freight rates to reach the markets of the world where the price of both productions was fixed.

Again, the Senator from Indiana mentioned the War Finance Corporation which came to the aid of the farmers of the United States. Then we had the Federal reserve bank law enacted by the Congress of the United States. For the purpose of comparison, before the War Finance Corporation and the Federal reserve bank law came along, for 55 years in my State of Iowa we had twice as many banks as the State of Massachusetts, and they operated on less than one-half as much capital per bank as did the banks of Massachusetts.

We had fewer failures than among the banks in the State of Massachusetts. Then we were given the War Finance Corporation to help us out, and a "decoy duck" was placed at the head of it. Then we were given the Federal reserve bank to help us out, and since then our bank failures in Iowa have been eighteen times as many as in the State of Massachusetts.

I think, perhaps, about 10 or 15 per cent of our trouble is due to excess railroad rates. I think 60 or 65 per cent of the present situation is due to that manipulation of credits in the Federal reserve bank which caused the deflation of the farmers of the United States, and then the high cost of credits which compels the farmer to pay a high rate of interest for his bank loans while speculation in New York gets almost \$4,000,000,000 at this moment at 4 per cent interest. Added to the tariff, added to the patent laws, those things have produced this great discrimination against agriculture. But, as I have stated, 12½ per cent of our trouble is due to the excess profits charged the farmer for what he buys because of exorbitant tariff schedules. Therefore in order to equalize this discrimination I stand for a reduction of those tariff schedules.

I believe also that some of the farm schedules are too low. There is a rule which is accepted, at least by all factions of the Republican Party, as the basis for tariff schedules, and that is the difference in cost of production at home and abroad. I do not believe that rule has been followed in any reasonable degree whatsoever. I think that failure to follow it has produced the excess profits that have piled up the millions, indeed the billions of dollars of stock dividends in the United States.

All of that has put a charge upon agriculture that it can not bear.

I think that is the direct issue involved in the pending resolution here to-day. I think it is important to the extent, at least, of 12½ per cent of the farmer's trouble that we reduce the tariff schedules and thereby reduce the excess profits which the farmer must pay.

If along with that we find that there are five or six hundred million dollars worth of agricultural products imported into the United States free—as there are—and a large part of those products could be produced at a reasonable cost in the United States, it is only just and reasonable that tariff duties be imposed in order to protect those farm products.

Take the rate on wheat, for instance, which is 42 cents a bushel at this time. The duty has been raised to that amount; the President has exercised his authority in regard to wheat, and has raised the duty to 42 cents. However, there is a 20-cent difference, or about that, in freight rates to reach the foreign market from the points of production in the United States, our freight rates being that much greater than the freight rates in Canada. Therefore one-half, or about that, of the tariff protection is at once nullified by the high railroad rates in the United States. I think all agricultural products are suffering from a like discrimination in railroad rates. I think everywhere that is true. It is proven in the case of wheat because we have the parallel markets on opposite sides of the Canadian line that prove it beyond question. It is further proven by the fact that the discrimination in wheat prices at Winnipeg and at Minneapolis prior to the 12th of September was about 12 or 15 cents a bushel in favor of Winnipeg, but since the 12th of September the price of wheat has jumped to 20 or 25 cents a bushel more at Winnipeg than at Minneapolis.

What happened on the 12th of September? On that date the Canadian Railway Commission, in one of the most comprehensive decisions ever handed down in any country, reduced the railroad rates on wheat 8 or 10 cents a bushel. Immediately the wheat in Canada advanced by about that amount, and the spread became about that much greater between the Canadian price and the American price.

Mr. President, this situation must be met not by a fight at one point along the line but by a fight all along the line. I am in this fight for agriculture against every excess profit in industry that agriculture is compelled to pay because of tariff schedules; against every excess profit in industry that agriculture is compelled to pay because of patent laws; against every excess interest charge that agriculture is compelled to pay because of banking laws and a banking system which gives a low rate of interest to stock speculators, while agriculture must pay high rates; against every excess charge that agriculture must pay in railroad rates that are fixed by a law of the Congress of the United States.

The Republican Party promised agriculture equality. Its platform is too plain to doubt its construction. What has become of that promise? Even the Senator from Indiana [Mr. WARSON], who defends the Republican organization, right or wrong, admitted that that pledge had not been kept. Almost four years have now passed, and the Republican machine wants to continue the matter over until after another election, to make another pledge that will get the farmer vote, and then the present situation can be safely continued for another four years.

Unless it keeps its pledges the Republican Party ought to be defeated in the next election. I shall vote for the pending resolution. I shall vote to remove this tariff inequality, and I shall vote to remove every one of these inequalities against agriculture.

Equality is the basic principle of Americanism; it was written into the Declaration of Independence in the beginning; but it has been nullified by selfish interests throughout all our history. The time has come when inequality has grown so great against agriculture that it stands out to-day as the greatest problem of our Republic save and except the problem of human slavery.

#### TRADE BARRIERS AND CUSTOMS DUTIES

Mr. ROBINSON of Arkansas. Mr. President, I desire to ask leave to have printed in the RECORD an address recently delivered by Mr. Norman H. Davis on the subject of trade barriers and customs duties.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Artificial restraints on international commerce are not new. Governments have always claimed that it was an undisputed prerogative of sovereignty to establish the terms on which aliens could trade within or across their frontiers. The Moorish corsairs of El Tarifa, near

Gibraltar, levying a tax on all commerce through the straits, gave their name to a practice which was very, very old.

In modern times tariffs have been imposed not only to raise revenue, but to protect home industry from foreign competition. Theoretically, such "protection" is a subsidy to local producers, which must be paid for in higher prices by local consumers. There are, however, great practical difficulties in reaching any definite appraisal of the amount of this subsidy, who pays it, and the effect on the economic life of the nation.

The prosperity or adversity of a country is due to multiple and complex causes, of which tariff policy is only one. The size of the home market; the natural resources; the type and industrial fitness of the population are considerations at least equally, if not more important. It is difficult to prove whether any country is prosperous because of or in spite of high protection. The three countries to-day with the highest tariff levels are the United States, Spain, and Russia. The standard of living varies greatly in these countries. Obviously, a high tariff does not suffice to bring prosperity to a country which is poor in natural resources, like Spain, or torn by revolution, like Russia.

In the years immediately preceding the war there was a tendency toward increasing protection. Great Britain alone of the industrial nations believed that its prosperity was enhanced by free trade.

#### II. POSTWAR

After the destruction of capital, the loss of man power, the long interruption of normal production, the obvious impoverishment, caused by the World War, it would seem that long-visioned, broad-minded selfishness would have dictated a policy of closer cooperation between the nations. Only by cultivating existing markets and opening up new ones, by stimulating production, by freeing economic life of its trammels, could the loss be speedily made good. But almost without exception the nations took the other course. Old trading units, like the Austrian and Russian Empires, were broken up not only politically but economically. The 5,000 miles of new frontiers became so many more barriers to the free exchange of commodities. Two fallacies—now generally recognized as fallacies—stimulated this movement. First, many believed that they could best achieve prosperity at the expense of others, and that the more they penalized or blocked the trade of their neighbors, the more they would profit. It is pretty generally recognized to-day that no nation can long prosper in the midst of bankruptcy. The lowering of prosperity, which comes from general blockade can not be compensated for by protective tariffs. And, secondly, the wave of political "nationalism" which swept over Europe—especially in the Near East, where new nations had won their long-desired independence—inevitably became economic nationalism as well. Despite the fact that all the trend of our day is toward increasing economic interdependence, the fallacy of "self-contained nationalism" has had a great following. The general staffs became high protectionists, insisting that all the key industries of war supplies should be built up at home.

We can picture the confusion by suggesting that the militia of each of our 48 States insist on having their Army motor cars built in their own State and be able to impose interstate tariffs which would make it possible for agricultural States to build automobiles in competition with established industrial centers.

This "economic nationalism" meant adding the waste of duplication to the impoverishment of war. New plants, built where they could not be economically operated, were kept alive by high tariffs. Old plants, which had grown up naturally near fuel or power and raw material, lost their markets as a result of these tariff walls, and so forced to close down, threw new brigades and army corps into the ranks of the unemployed, which lowered the level of living and the general purchasing power.

Not content with formal and declared tariff war, many nations sought even greater "protection" by embargoes, import and export prohibitions, juggling with terminology in the tariff schedules, complications in customs formalities, which further impeded transfrontier trade. The attack on competitive foreign commerce is often veiled, sometimes taking the form of "sanitary regulations." All sorts of ingenious tricks have been tried to beat the axiom that "You can not sell abroad unless you buy abroad."

The raising of tariff barriers was also stimulated by the fluctuation and depreciation of currency. As currencies fell in some countries tariff walls rose in others as a protection against an influx of cheap goods from the areas of cheap currency. These protective measures were deemed necessary to safeguard home industries, but the closing of markets to the goods of the countries suffering from currency depreciation made it more difficult for them to cure their exchange and currency troubles. Nevertheless currencies have now been stabilized or gotten within control, but the barriers which were raised against unstable currencies still remain and hamper commerce after the reason for their erection has disappeared.

Tariff revisions have been frequent and almost always upward. Inevitably it is cumulative, for it invites retaliation. If A could raise its own tariffs and persuade the rest of the alphabet to lower theirs, A might gain. But this is not human nature. B, C, D, and Z raise theirs in retaliation and the hoped-for gains prove illusions. As it

becomes apparent that the profits of this policy of erecting barriers to trade are less than anticipated—that it defeats its own purpose—the losses which all suffer from the slowing down of commerce become even more apparent.

The policy of protection means, in the long run, the sacrifice of the foreign market for the home market. The tendency toward mass production, the outstanding development of our economic era, demands mass consumption, the largest possible market. An equally important fact of our day is the increasing complexity of industry—mass production is not possible without access to all sorts of raw material. Major industries gather their raw material from the four corners of the earth. A country like our own, with its vast continental area—the largest free-trade area in the world—furnishing the greatest part of its basic raw materials, consuming nine-tenths of its production, has been able to pursue a policy which subordinates the foreign market. Nature has been very bountiful to us. Within limits—as yet undetermined—we can live on our own fat, but we are reaching out more and more for raw materials from abroad; our home market is already becoming too small; and we must have additional outlets for our surplus products and wealth.

The typical country of Europe is small—relatively few consumers at home. It is lean—poor in raw material. It lacks the resources and markets essential for economic units of production and distribution. It can not afford the luxury of a policy of economic nationalism.

### III. THE GENEVA CONFERENCE

The business men of Europe have been seeing with more and more alarm the disastrous results of "economic nationalism" and its accompanying tendency to ever-increasing artificial interference in trade. Uneasiness was being expressed by chambers of commerce everywhere. And in May, 1927, there gathered at Geneva the World Economic Conference. Much valuable spade work had already been done by the preparatory commission and by the economic section of the League of Nations. The information which was given us, in a series of pamphlets, furnished a remarkably comprehensive picture of present economic conditions. Men from every country, men from every special industry could see how their individual problems fitted into the general picture. Viewing the whole in proper perspective, all could see larger significance in the details, with which they were familiar. This matter of tariffs was discussed not from the viewpoint of any particular manufacturer and his possibly selfish interests but from the international viewpoint—from the viewpoint of the prosperity of all, the viewpoint of the common weal.

Approaching the problem from this angle it was at once obvious that, while the determination of fiscal policy is a matter of domestic jurisdiction, it is a matter of more than domestic concern. The world has become so interdependent in its economic life that measures adopted by one nation affect the prosperity of others. No nation can afford to exercise its rights of sovereignty without consideration of the effects on others. National selfishness invites international retaliation. The units of the world's economy must work together or rot separately.

The Economic Conference made no attempt to determine an ideal tariff level—to settle the old controversy between protection and free trade, between high and low tariff. No attempt was made to tell any nation what it should do.

The conference, however, did reach certain very definite conclusions—unanimously. I do not have to remind you of the composition of the conference. There were industrialists, bankers, economists, agriculturists, and laborers. It was as authoritative a body of experts in the matter as was ever convened to discuss economic questions. They were unanimous in favor of simplification of customs terminology and formalities; they recommended universal adherence to the unconditional most favored nation principle; they condemned all veiled and indirect methods of increasing the barriers of trade; they pointed out emphatically the difficulties of frequent alterations in schedules. And they agreed that further heightening of the barriers would be disastrous, that the time had come to take the other direction and reduce them.

The conference was not composed of official governmental representatives. It did not have "power" to bind anybody. But that it expressed the considered convictions of the business world is, I think, proved by the cordial and unanimous indorsement of its findings by the Congress of the International Chamber of Commerce at Stockholm. Even more encouraging is the news that its resolutions have been formally indorsed by the following governments: Germany, Holland, Belgium, Czechoslovakia, Austria, and the Scandinavian countries.

### IV. ARMAMENTS

It is impossible to study the question of reducing these artificial "restraints to trade," without being reminded of the very similar problem of the reduction of armaments. In one case, as in the other, the matter comes directly under the sovereign rights of the nations. Any country has a right to build up the military establishment it desires. Any nation has the right to erect such barriers against international commerce as it thinks will serve its interests. But in both cases the free and uncoordinated exercise of this right has caused great economic burdens and universal embarrassment. In both cases any step taken

by one nation to protect its own interests is immediately rendered inadequate by the retaliatory action of others.

It is, I believe, generally conceded that the only hope for the reduction of the burdens and dangers of excessive armaments is through some form of international agreement. I submit that this is also the only method by which we can find sufficient relief from these excessive barriers to trade. International agreement means negotiation, consideration of the others' situation and needs, and mutual concessions.

If each government is to continue, as has been the custom in the past, to fix its customs policy, its military program, as an isolated, individual act of sovereignty, without thought of the repercussion on other countries, the pyramiding of tariffs, the piling up of armaments, is inevitable. We can hope for relief—in the one problem as in the other—only by the method of give-and-take cooperation, by taking the friendly, considerate, and broad view.

### V. AMERICA'S PART

When we come finally to the consideration of America's relation to this problem we must answer two questions. First, Are we sufficiently interested to do anything about it? Secondly, If so, what?

Clearly we have stood in a special position, not so much because of distance—the Lindberghs are constantly reducing that—as because of our structure. International trade has not in the past been as important to us as it is to many European countries, but our export trade, while small in comparison to our domestic trade, is rapidly growing in volume and importance, and with the possible exception of Great Britain is now greater than that of any other nation. At present it is largely based on credit supplied by our investors. Purchasers of our products come to us because we have a practical monopoly of the credit they need. We have thus been able to sell our surpluses and let our foreign customers and debtors worry about the trade barriers, but that can not continue indefinitely.

While I am not a protectionist, I recognize that, with the exception of agriculture, our country has been generally prosperous under a high protective tariff, as it has also been under a tariff for revenue only; and I admit that our consumers have been able to absorb, without apparent detriment to our economic life, the cost of tariff subsidies. We have, however, now changed from a debtor to a creditor Nation, which must alter the effect of our tariff upon our economic life and that of other nations. The real test of our tariff policy will come from the need of additional markets and the necessity to safeguard and recover our foreign loans and investments.

Whatever our differences of opinion about our own tariff policy, I find little dissent from the proposition that Europe can not regain its prosperity unless action is taken to reduce these trade barriers—as recommended by the Economic Conference at Geneva.

Mr. Henry M. Robinson, speaking for the entire American delegation at the Geneva Economic Conference, answered the first question. "Our own experience," he said, "has taught us to consider 'prosperity' as a whole. No industry lives healthily in a period of general depression and instability. No nation can enjoy its full economic activity unless other nations are prosperous. The American people are profoundly interested in the peace and prosperity of Europe."

There is one other point which I submit for your consideration. We, as the growing creditor of Europe, have an added reason to desire the restoration and increase of its prosperity. If we are to continue to lend money to Europe, if we are to be repaid on existing credits, it is to our interest to do all in our power to help Europe in her effort to free herself from this throttling, smothering tangle of artificial trade barriers.

With our increased efficiency, through labor-saving devices and mass production, we have raised our standards of living and our purchasing powers above that of any other country. Instead of being at a disadvantage in competing with Europe, as was formerly supposed to be the case, because of the low wage and standard of living in Europe, it is becoming increasingly evident that Europe is at a disadvantage in competing with us just because of their low wages and low standards of living which reduce their efficiency, their earnings, their purchasing power, and their consumption.

The second question, "What can we do?" remains to be answered. There is unanimous feeling among our citizens that the results of recent cuts in direct taxation have been beneficial. I suggest that a cut in indirect taxation would have an equally beneficial result in our national economy. It would be even more popular, for whereas direct taxation falls mostly on the more prosperous few, indirect taxation bears on all. But it is especially because of its effect on the international problem that I advocate it at this moment.

The experts gathered at the Geneva Conference and the leading business interests represented in the International Chamber of Commerce have expressed the conviction that the removal of barriers which unduly hamper trade would promote the prosperity of all the world. A 10 per cent reduction of all of our tariff schedules would be a wise and effective way to set an example in a policy of removing such barriers. It would not work a hardship upon any of our efficient industries, and it would bring relief to many of our people. It would also

have an enormous effect upon opinion throughout the world and encourage the adoption of policies which would make the world more peaceful and more prosperous.

ADDRESS BY SENATOR BRUCE ON THE EIGHTEENTH AMENDMENT

Mr. EDWARDS. Mr. President, I ask unanimous consent to have printed in the RECORD an address delivered at the University of Virginia on August 18, 1927, on the eighteenth amendment, by the Senator from Maryland, Hon. WILLIAM CABELL BRUCE.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Senator BRUCE. In discussing the eighteenth amendment the first thing that we should dismiss from our minds is the idea that it is such a hallowed thing that to question its expediency justly subjects the person, guilty of such sacrilege, to the reproach of nullification (to borrow a much-abused word from the vocabulary of prohibition). Such an idea, of course, is mere political claptrap, or else but another suggestion of the distempered fanaticism which, as some one has wittily said, seems to regard the Federal Constitution, aside from the eighteenth amendment, as but a preamble to that amendment. There is no peculiar odor of sanctity, so far as I can detect, about the eighteenth amendment; only the strong, rank smell of illicit abuses, bred by a largely unselfish but altogether fatuous effort to make another man of man. To be sure, save under circumstances wholly exceptional, all laws are entitled to obedience so long as they remain on the statute book. Until they are amended or repealed it is the duty of the executive, the judge, the jurymen, the prosecuting attorney, and every other official servitor of the law faithfully to do his best to secure their enforcement, and if the citizen violates them he must not expect to escape their penalties. But all laws, nevertheless, whether they assume the form of constitutional or statutory mandates, are but tentative expressions of the popular will. Otherwise, there would be no such thing as an amended or abrogated law. As it is, laws, I hardly need say, are very frequently amended, and not infrequently revoked by Congress and our State legislatures. Like pots, they can sometimes be tinkered in such a way as to be made more serviceable; and sometimes their mischievousness or inutility is so thoroughly established by experience that there is nothing left to do except to consign them, like pots too worthless for tinkering, to the waste heap. The provisions of our Federal Constitution and State constitutions are not so often amended or repealed because they usually prescribe rules of conduct far more fundamental and axiomatic than those prescribed by statutory law; but they, too, at times have to be changed to meet the political, social, and economic changes of a growing human society or to retrieve blunders made in hours of popular error, passion, or hysteria. One thing is certain. Only a very small part of a real, respected law is found in print. Far the greater part of every such law resides in the unwritten code of public opinion. In other words, all truly efficacious measures are enacted by nature and reason rather than by legislative bodies. Like a man, a law to be respected must be respectable. It must be in keeping with the settled sentiments and impulses of human nature, the sober processes of human reasoning, and the ripe instruction of human experience. If it is lacking in these essentials, it is only that most futile and despicable thing, a law without a moral sanction; and its deficiency in that respect can never be made good by any mere legal sanctions, however rigorously punitive. Every effort to enforce such a law simply demonstrates the truth of Edmund Burke's saying that bad laws are the worst sort of tyranny.

To illustrate the soundness of these propositions it is not necessary to resort to statutory law. We need only turn to the instrument of which the eighteenth amendment is a part. In its provisions relating to the Electoral College we have an example of the atrophy that is likely to overtake even a constitutional requirement that does not fully harmonize with the political genius of a people. It was the intent of the framers of the Federal Constitution that the members of the Electoral College should exercise their own discretion in the election of a President, and the inspiration of this intent was the belief that the selection of a President could be more safely committed to a comparatively small body of representative and intelligent men than to the whole mass of the voters. Yet, as we know, presidential electors have become the mere dummies of the two great national parties, and submissively name as President whomsoever may be designated for the office of President by the party to which the majority of the electors belong. In effect, in this instance, the Federal Constitution has simply been nullified by public opinion. In the history of the Federal Constitution is also found an example of the impotence of constitutional provisions which have become deeply repugnant to the moral progress of humanity. Despite the guaranties originally created by the Federal Constitution for the security of the institution of slavery, and but for which it would never have been adopted, the time came when the hostility of legislatures and courts in the free States to slavery made it impossible for the slaveholding States to enforce those guaranties. In the Federal Constitution is also found an example of the paralysis that ultimately creeps over every irrational and unnatural effort under constitutional forms to

accomplish an object not approved by the human reason. All that law could do to place the southern slave on a footing of political equality with his master was embodied in the fourteenth and fifteenth amendments, but, by one ingenious artifice or another, suggested by the instinct of self-preservation, these provisions of the Federal Constitution have been reduced to what Grover Cleveland once happily termed "innocuous desuetude." Surely I need no better proofs than these three examples, which I have drawn from the history of the Federal Constitution itself, to show that, no matter how solemnly or sternly a provision of the Federal Constitution, whether sumptuary in its nature or not, may be framed, it will, if out of accord with the profounder political intuitions, the moral sentiments, or the reasoned conclusions of those upon whom it operates, sooner or later, unless repealed or modified, as it should be, become dormant or despised.

Just such a law as the fourteenth and fifteenth amendments, which sought, in defiance of all sane thinking, to impose ignorant negro suffrage on the southern body politic, is the eighteenth amendment, which declares that the use of intoxicating liquors for beverage purposes is a criminal thing per se, at all times and under all circumstances. It falls within the scope of that other saying of Edmund Burke, as profound as it was passionate: "Never, no never, did nature say one thing and wisdom say another!" It is a violation of human nature; it is an affront to the human reason; it is a gross invasion of personal liberty; and, despite all the crime and misery that has resulted from strong drink, it can justly be pronounced a totally arbitrary and unreasonable incubus upon the generous and joyous side of human existence. In fine, it is a law without a moral sanction.

Assuming this to be so, how childish is the thought that the millions of human beings in the United States, who desire the repeal or modification of the eighteenth amendment, are under any obligation to refrain from expressing their honest opinion of it, or from doing anything in their power lawfully to bring its blighting, demoralizing, and corrupting influence to an end!

As I see it, the prohibition, initiated by the eighteenth amendment, has, as I have frequently affirmed, proved a disastrous, tragic failure. It is hard to imagine anything valuer than prohibition which does not prohibit; and yet this is just the kind of prohibition which has distinguished the practical workings of the Volstead Act. So far from the truth is the claim of the Anti-Saloon League that the Federal Government has been insincere or listless in its efforts to enforce that act that it can be confidently asserted that rarely in human history has any other government ever striven so faithfully and persistently to enforce a law, in the teeth of a vast volume of hostile public opinion. Congress has exhibited a readiness, little short of abject servility, to enact any legislation that the Anti-Saloon League has asked it to enact; notwithstanding the fact that many members of that body, and, among them, some who are most conspicuously subservient to the league, are but poor exemplars in their personal habits of the principle of total abstinence. Indeed, a docile bull, led about by the nose, is no mean illustration of the extent to which Congress has, for many years, resigned itself to the guiding hand of the league. Even the sedate and self-satisfied Senate, which has always been so reluctant to apply its cloture rule to protracted debate, applied it at the last session of Congress to the discussion of the prohibition reorganization bill, in which the league was so deeply interested, almost before one could say "Jack Robinson." So far as I know, not even Wayne B. Wheeler, the late general counsel of the league, quick as he is to sniff out official misconduct, in connection with the Volstead Act, has ever found fault with the spirit of dispassionate construction that the Supreme Court of the United States has brought to bear upon the interpretation of the eighteenth amendment and the Volstead Act. Nor, so far as I know, is any Federal judge justly chargeable with official faithlessness in the application of the Volstead Act; though it is fair to assume that some of our Federal judges must have felt at times, when scores of helpless wretches were passing through their courts in transit from the undergraduate school of artificial crime to the postgraduate school of real crime, as if the legislative mind had been caught up in the grasp of some kind of mad medieval superstition. Equally conscientious has been the official conduct of the higher executive officers of the Federal Government in the performance of the obligations that they owed to the Volstead Act.

No more convincing proof of the unenforceability of that act can be cited than the fact that even such an honorable, courageous, and intelligent administrator as Gen. Lincoln C. Andrews, the recent Assistant Secretary of the Treasury, was unable to enforce it; and this, despite the fact that, true to his military training, he even sought by the appointment of professional soldiers as his assistants to convert ordinary prohibition raids into something closely akin to military dragoonades. Nor should I fail to mention the frequent reorganizations that prohibition enforcement has undergone in the sincere effort of its directors, like a fevered patient, seeking a cool place by shifting restlessly from one side of his bed to the other, to find some scheme of operations equal to the task of checkmating the bootlegger and his patrons. Neither should I fail to mention the extent to which the Coast Guard has been diverted from its old function of saving human life to the function of running down rum pirates, the costly vessels that

have been added to its fleet by new construction or transfers from the Navy, and the vast and ever-mounting sums that have been appropriated annually by Congress for the enforcement of the Volstead Act, and that now, it is safe to say, aggregate not less than \$30,000,000 per annum, to say nothing of the sums that are expended in the enforcement of the same law by all the States of the Union, except New York and Maryland, which have wisely washed their hands, as they had a clear constitutional right to do, of the whole dirty business.

So far as I can discern, the only respect in which the Federal Government has been slack in enforcing the Volstead Act has been in declining to comply with the request of the Anti-Saloon League that it use its Army and Navy also as instruments for prohibition enforcement. But as to that, it is, I think, but just to the Government to say that, while to the mind of Wayne B. Wheeler there may be no distinction of any sort to be taken between agencies for combating German kaisers and agencies for combating rum kings, this is not the case so far as the discriminating portion of the American public is concerned.

For my present purposes, it is enough to say that, earnestly as the higher officials of the Federal Government have endeavored to make prohibition a practical reality, they have not succeeded in doing so. Before the adoption of the eighteenth amendment, it was a common saying that, no matter how far short our States and cities might fall of enforcing their laws or ordinances, the Federal Government always enforced its laws; but now that it has undertaken to cope with a natural appetite, old as the Blue Ridge, and only less imperious than hunger, it has more than met its match. The recent discovery of a wine jar at Tell-en-Nashe shows that men were drinking 600 years before Christ, and it is safe to say that they will be drinking 600 years after the advent of the Messiah. This country has been engaged in not a few wars. It has had its war with Great Britain, its war with Mexico, its Civil War, and its war with Germany, but the most desperate war in which it has ever been involved is that which it is now waging on human nature. One combatant is a physical want which has been felt and gratified by men since man was a primeval being, with the sun and the stars about him, and the other is a government which, powerful as it is, is not powerful enough to enforce a law intrinsically devoid of moral authority. When the Volstead Act took effect in January, 1920, there was for a time a marked decline in the consumption of liquor in the United States. This fact was due partly to the dejection to which the opponents of prohibition were temporarily reduced by defeat, and partly to the disposition of conscientious citizenship to give a new law a fair trial; but it was mainly due to the fact that an entire liquor underworld could not be organized overnight. But one was organized, and with an amazing degree of rapidity.

By 1921 the river of strong drink was flowing underground with almost as full a flood as it had ever flowed above ground. Whisky and other liquors were smuggled in vast quantities into the United States from abroad by way of Canada, Mexico, Cuba, and the Bahamas and in smaller quantities from the Bermudas and not a few of the West Indian islands, besides Cuba and the Bahamas. Even such small and barren rocks as the French islands of St. Pierre and Miquelon on the southwest coast of Newfoundland became important forwarding points for a bustling contraband trade; and from a paper, contributed to the Saturday Evening Post of October 2, 1926, by Maj. Walton A. Green, chief prohibition investigator, we learn that the Bahamas, a group of scattered coral reefs, with a population of only 53,000 persons, mainly negroes, were collecting annually at that time from its bootlegging exporters a customs revenue of around \$3,500,000. Illicit stills shot up like mushrooms, after a mellow shower, in swamps, in mountain fastnesses, in dense thickets, on river craft, in attics, in basements, in garages, in warehouses, in office buildings, even in caves and other underground retreats. Besides, thousands of householders, who had never made a drop of spirits, wine, or beer in their lives, availing themselves of the fact that the arts of distillation and fermentation are among the simplest of all arts, turned to the practice of manufacturing home brew in their own homes from peaches, from cherries, from blackberries, from elderberries, from the dandelion, and, above all, from corn sugar, the grape, and the materials that enter into beer. Indeed, home brewing soon became such an important branch of domestic industry that one began to ask himself whether the resuscitation of the handloom and the spinning wheel was not also at hand. From that time until the present hour the Federal Government has been in active and untiring pursuit of the protean rum devil. So far there is very little to justify the belief that it will ever catch up with him. Repelled from the front door of the American Continent, he slips around to its back door. Driven from the sea, he meets the deficiency in his wares, caused by that fact, by setting up more stills, diverting more industrial alcohol, and practicing more of other sorts of frauds on the Volstead Act. If he were cut off from these resources, it is easy to imagine him donning the white apron of a good housewife and giving a still greater stimulus to the expansion of vineyard acreage and the sale of corn sugar and wine grapes. It is true that with the aid of its immense flotilla of some 285 rum-chasing vessels of all sorts the Coast Guard has succeeded in mak-

ing the smuggling of liquor into this country by sea more difficult. Whole fleets of rum runners no longer hover close to our Atlantic and Pacific seaboard, but the recent capture from time to time off those seaboard of enormously valuable cargoes of liquor is evidence enough that the cargoes of some rum runners would not be caught in the Coast Guard net if many more did not slip through. Be this as it may, so far as the level of drink has been lowered by the interception of liquor on its way by sea to our Atlantic and Pacific seaboard, it has been promptly restored, as General Andrews himself has recognized, by a quickened inflow from Canada and a quickened outflow from our own many illicit sources of domestic supply. And what if the Government were successful in suppressing all smuggled and moonshine liquor as well as all other liquor derived from commercial sources? Unless it were to abandon completely its crackbrained idea that all drink, whether made by the commercial distiller, fermenter, or brewer for sale, or by the Government itself, or by some good, virtuous matron in her own home for domestic use, is an iniquitous and shameful thing, its troubles would just begin, for anyone who has wit enough to buy the proper container and to express and ferment a little fruit juice can manufacture an agreeable beverage with a satisfactory alcoholic content.

In the event that I have suggested all who desired drink would simply make it in their own homes, and then if the Government ventured to enter these homes more freely than it has yet dared to do, perhaps, it is not unlikely that so much disorder and bloodshed would follow that even Congress might recall the noble utterance of the renowned orator and statesman, Lord Chatham, whose name is so intimately associated with the history of American liberty, "The poorest man may in his cottage bid defiance to all the force of the Crown. It may be frail; its roof may shake; the wind may blow through it; the storms may enter; the rain may enter; but the King of England can not enter." The full import of these stirring words came home to me a few months ago, when I read a newspaper account of an incident that had just taken place in the State of Ohio. A prohibition agent broke into a private house, and when asked by its occupant why he did so, replied, "It is none of your damned business," whereupon the occupant, who was afterwards acquitted by a jury, shot him dead. From such an incident as this, which was marked by only one of many prohibition outrages, it is fair to infer that if the Federal Government were to lay aside its present scruples and freely to enter private homes for the purpose of arresting and punishing their inmates for manufacturing a little drink for domestic use, it might staunch the flow of some kinds of liquor, but would certainly set not a little red liquor of another kind to flowing. In a recent report Donald D. Conn, the managing director of the California Vineyardists Association, states that during the past five years they had witnessed a development in grape acreage and production unprecedented in the history of any perishable commodity. When the Volstead Act went into effect one of the vine growers of California, believing that his business was doomed, took his own life. How the heart of the poor fellow would have been cheered if he could only have foreseen that the grape production of California would rise from 671,626 tons in 1918 to 1,019,000 tons in 1926!

In maintaining the proposition that prohibition does not prohibit I will not try to delve too deeply into statistics, for in that Serboman bog armies whole of prohibitionists and antiprohibitionists have sunk. It is sufficient for me on this occasion to note the steady increase in convictions for violations of the Volstead Act, seizure of illicit stilleries, stills, still worms, and fermenters, and commitments for violations of the Volstead Act to Federal penitentiaries and State institutions for the care of Federal prisoners, and in arrests for drunkenness, which have taken place since the effective date of the Volstead Act, January 17, 1920. In 1921 the first full year of national prohibition, 17,962 persons were convicted in the Federal courts of violations of the Volstead Act, and in 1926 no less than 44,022. In 1921 there were 95,933 seizures by Federal agents of illicit stilleries, stills, still worms, and fermenters, and in 1926 not less than 161,979. In 1922 there were 97 commitments for violations of the Volstead Act to Federal penitentiaries and State institutions for the care of Federal prisoners, and in 1926 not less than 1,837. By personal application, before April 5 of last year, to the chiefs of police of 36 of the leading cities of the Union, including Chicago, where drink cases are merged in disorderly conduct cases, I ascertained that the aggregate number of arrests in these cities in 1921 for drunkenness was 209,664, and in 1925 not less than 407,032. Later the Moderation League, a civic association of the highest standing, published tables of arrests for drunkenness made after the effective date of the Volstead Act, down to January 1, 1926, by the police departments of 564 cities and towns of the United States.

The president of the league was Austen G. Fox, the well-known New York lawyer, and its research director was Stanley Shirk. Among its directors were Newcomb Carlton, the president of the Western Union Telegraph Co.; William N. Dykman, president of the New York State Bar Association; the Right Rev. Charles Fiske, bishop of central New York; Haley Fiske, president of the Metropolitan Life Insurance Co.; Alexander C. Humphreys, president of Stevens University; Charles A. Peabody, president of the Mutual Life Insurance Co.; William Barclay Parsons, president of the board of trustees of Columbia University; William C. Redfield, the former Secretary of Commerce; Henry S.

Pritchett, president of the Carnegie Foundation for the Advancement of Teaching, and former president of the Massachusetts Institute of Technology; Ellihu Root, the celebrated lawyer and statesman; and Dr. William H. Welch, the celebrated Johns Hopkins pathologist. According to the tables of the league, drunkenness increased almost twice as fast in the United States in 1925 as in 1924. More specifically, in the 564 cities and towns tabulated by the league arrests for drunkenness in 1924 were 21,000 in excess of the arrests for that offense in 1923, and in 1925, 36,241 in excess of the arrests for that offense in 1924. In 384 of the 564 cities and towns, such arrests in 1925 were even more numerous than in 1914, when some of the States still licensed saloons and others were under State prohibition or local option. Especially significant is the fact, brought out by the league, that conditions in the former so-called "dry" States were worse, as compared with 1914, than conditions in the so-called "wet" States. One of the most noteworthy facts established by the study of the league and my own study is the fact that Gen. Lincoln C. Andrews was quite correct when, as Assistant Secretary of the Treasury, he declared a year or so ago that the bootleg industry is coextensive with our entire country. It, at any rate, is one thing in American life which has no tinge of sectionalism about it. There has been much discussion as to what should be our national flower. Let me suggest the dandelion. Even when one speaks of the "dry West" he should be understood as limiting that adjective to its alkali deserts, and even the "dry South" belongs to the province of dry humor rather than to that of statistical verity. In an editorial last year the New York Times called attention to the fact that Federal prohibition agents had found in 1925 thirty-five times as many stills in Montana in proportion to population as they had in New York; and about the same time it also called attention to the fact that in proportion to population arrests for drunkenness in Pocatello, Idaho, had been ten times as numerous as in the city of New York; and in Twin Falls, Idaho, nearly five times as numerous. It is quite startling that a little provincial home of purity and peace like Pocatello should have a thirst ten times as urgent as that of a great cosmopolitan Babylon like New York. Of course, the State of New York obtains its supply of liquor largely from big smugglers, and Montana doubtless obtains its supply largely from small-scale moonshiners. My intent is merely to make the point that no matter how the several States of the Union get their liquor, somehow or other they all get it in one way or another. The West is undeniably a sinner as well as the East; nor is the South by any means a saint, to put it very, very mildly. Of the illicit plants and agencies seized by the Federal Prohibition Unit in 1925, 70 per cent were seized in the theoretically dry States of Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, and Virginia. More distilleries and fermenters were seized in Georgia during the fiscal year 1925 than in any other State of the Union.

Last year I received newspaper clippings from quite a number of citizens of Atlanta, Ga., showing that more persons had been brought into the police stations of that city for being drunk on the Easter Sunday of that year than had ever been brought into them on any previous day in its history. In a letter last year to the Hon. W. D. Upshaw, the Member of Congress from Georgia, M. B. Wellborn, of the Federal Reserve Bank of Atlanta, said: "I may say that, from what I can learn, drinking is almost universal not only in Atlanta but in every town in Georgia, and throughout the South"; and Georgia is by no means the only southern offender. It is simply keeping up its reputation as the Empire State of the South in drink, as well as in everything else. Last May Judge W. W. McCrory, of the district court of San Antonio, Tex., was reported as saying: "If everybody in Texas who violates the prohibition law were really convicted, just about everybody in the State, except the preachers, would be in our penitentiaries." Last year Ben. C. Sharpe, the Federal prohibition administrator for the Carolinas and Georgia, issued a statement declaring that there was more liquor in North Carolina, South Carolina, and Georgia than there had been in the past three years. Some time ago T. L. Candler, the special prosecutor appointed by Governor McLean of North Carolina to assist in the prosecution of a traverser, reminded the jury, in the course of his address to them, that they should not disregard the testimony of witnesses for the State who had been in the chain gang, because they had been convicted only of violations of the prohibition law; and, turning toward the audience sitting in the court room, exclaimed, "If I were to ask every man out there who has violated the prohibition law to rise, there wouldn't be a bench warmer left, with the possible exception of a few ministers and tea toppers." A short time ago, too, in a letter to the New York Herald-Tribune, R. Charlton Wright, the editor of the Columbia (S. C.) Record, wrote: "If there is as a product of sincere conviction and honest observance of the law such a reality as the 'dry South,' I have yet to see it, and I have lived and journeyed all over it for more than 40 years." When I was compiling arrests for drunkenness in 36 cities of the Union my attention was called to the fact that Richmond and New Orleans were among the cities in which the number of arrests for drunkenness in 1924 was in excess of the number for the last year of the pre-prohibition era.

I shall not deal with the North and East in such detail as I have done with the West and South, because they do not affect, so far as I am aware, to be lands of Arcadian simplicity and innocence as respects strong drink. Indeed, they seem rather to glory in their turpitude. Like our first parents they are naked and not ashamed. According to a study made by William P. Eno, of Washington City, in 1923, arrests per 100,000 of population in dry Boston were eight times what they were in wet Montreal. In July, 1926, the number of speak-easies in New York City was estimated by Chester B. Mills, the Federal prohibition administrator, at 15,000, a total of more than 100 per cent in excess of the total number of licensed saloons existing in the five boroughs of Manhattan in 1918 and more than 14 per cent in excess of the entire number of licensed saloons existing in the whole State of New York in 1918. In July, 1926, a United Press dispatch from Detroit reported that the police estimate of the number of "blind pigs" in Detroit at that time was 15,000 as against the 1,600 licensed saloons which existed in that city before prohibition. Need I speak of Philadelphia, Pittsburgh, Baltimore, or Chicago? No! I will pass them by, merely saying, in the words of Lear, "Pah! Pah! Give me an ounce of civet, good apothecary, to sweeten my imagination." Perhaps, however, I might dwell for a moment upon Washington, for the National Capital might naturally be expected to set a good moral example in every respect to other portions of the United States. It is there that Congress holds its sessions; that the Supreme Court sits; that the President resides; that the Federal Government is clothed with exclusive jurisdiction by the Federal Constitution; and that the Prohibition Unit has its headquarters. Suffice it to say that arrests for drunkenness in Washington have mounted from 6,375 for the year 1921 to 13,588 for the fiscal year ending June 30, 1927.

Whether there has been any increase in drinking in rural communities since the enactment of the Volstead Act it is, of course, difficult to say. For obvious reasons they can not be kept under the same searching surveillance by the Prohibition Unit as cities or towns. As a rule, they have no police with which to arrest drunkards, and do not trouble themselves about drink statistics; and, moreover, they have always looked for refreshment largely to the hard cider and the home-made wine which the Anti-Saloon League, recognizing the political power of the farmer, was so astute as to exempt from the provisions of the Volstead Act, which prescribe an alcoholic limitation of less than one-half of 1 per cent.

From what I have said it is manifest that, whatever else national prohibition has done, it has not prohibited. Indeed, this seems to be either tacitly or expressly admitted by some of the higher prohibition officials of the Government itself. Gen. Lincoln C. Andrews, the sanest individual to whom the administration of the Volstead Act has ever been committed, under the supervision of the Secretary of the Treasury, has just retired in disgust; and Maj. Walton A. Green, formerly the prohibition investigator under him, commenting upon his retirement a few days ago, said, "The new man [General Andrews] slowed up the process of disintegration. That is all he did. That is all anyone could have done. No man could have maintained the morale of an underpaid and execrated organization in the face of the brilliant and insidious campaign of the wets." The same situation has also been summed up with no little epigrammatic point by Emory Buckner, the former United States district attorney for the southern district of the State of New York: "The dries think they have won because they have the law. The wets think they have won because they have the liquor." Even Dr. Clarence True Wilson, the secretary of the Methodist Board of Temperance, Prohibition, and Public Morals, was credited some months ago with the mournful observation: "Prohibition enforcement leaks like a sieve." All together, at the present time, it looks as if Mrs. Partington might yet lay aside her broom and give up her Herculean task of sweeping back the Atlantic Ocean. She is, perhaps, beginning to think that General Andrews employed a very apt phrase before his retirement when he spoke of the "endless growth" of stills.

As I see it, national prohibition has not subserved one single useful purpose unless it be that of accumulating a fund of experience which will be of monetary value when the American people shall retrace their steps, as they will assuredly do, and go back to the crossroads where, in an evil hour, they deserted the open highway that was conducting them safely to temperance for the mire and miasma of the prohibition bog. It is said that prohibition has made its influence felt in the form of increased savings deposits and the like, but this idea, of course, assumes that there has been prohibition—and there has not been, as I have shown. It is too plain for discussion that we have enjoyed an extraordinary degree of business prosperity since the World War because in many remarkable ways we have, above all the other industrial nations of the world, been the industrial beneficiary of that war. To no small extent Canada has, likewise, been a beneficiary of the World War, and though, with the exception of a few provinces, wet, has yet shared the economic welfare of the United States to such a degree that the Canadian currency at times has been at a premium over ours.

It is also said that the industrial worker is a steadier worker now than he was before prohibition. If so, it is only because he is drinking

home-brewed wine and beer now in his own home in place of the hard liquor which he formerly obtained at the old saloon; which is just what every intelligent system of liquor regulation might well seek to encourage. Besides, even if prohibition had never gone into force, there is no reason why the industrial worker should not be drinking less to-day than he did when it went into force. Everyone whose memory goes back to the first legislative steps taken in the field of national prohibition knows that both employers and workers were more progressively alive then to the need for sobriety in industry than they had ever been in the past; and this is true of both the worker and his union. One thing is certain, and that is that nothing can be shallower than the idea that repugnance to prohibition is limited to the smart set. It has no more obdurate enemy in the United States to-day than the American Federation of Labor, which, very justly, sees no reason why the employer should have his glass of wine and the worker not have his glass of beer. In view of the odious system of tyranny that national prohibition has set up, in some respects, he might even reasonably doubt, with the Archbishop of York, whether, after all, it is not better to be free than to be sober. And I am glad to see that such renowned captains of industry as Charles M. Schwab and Elbert H. Gary have recently been reported as being sufficiently in accord with the American Federation of Labor to think that there should be a nation-wide referendum to determine whether the American people wish prohibition to be continued.

The morbid sequels of prohibition have been so numerous that it is hard to state them all for very weariness. To begin with, the eighteenth amendment, by engrafting upon the Federal Constitution a mere sumptuary law, has set a dangerous precedent for the further effacement of the old lines of partition between organic and statutory law, and between National and State authority. The prohibition which it creates is peculiarly one that the States should have been left free to adopt or reject, as they listed, in accordance with their respective social traditions, customs, usages, and urban and rural conditions. In the next place, the fanatical nature of the real driving force behind prohibition has given a rude shock to the spirit of some of the most sacred rights guaranteed by the Federal Constitution; such as the right of the citizen to be secure in his person, house, papers, and effects against unreasonable searches and seizures; or to be exempt from being twice put in jeopardy of life or limb for the same offense, or to have a speedy and public trial by an impartial jury. I have in mind, of course, among other things, the instances in which prohibition agents have entered homes without a warrant; or have stopped and searched motor cars without reasonable cause; or have brought about prosecutions for violations of the Volstead Act in both the Federal and State courts; or have obtained padlock injunctions from juryless courts of equity. National prohibition has diverted into the pockets of foreign and domestic bootleggers the enormous tax revenue of \$442,839,544.98, which the Federal Government was receiving from distilled spirits and fermented liquors in 1918, and which could very seasonably at this time be applied to the payment of our national debt and the reduction of Federal taxation, or to flood control and flood relief in the Mississippi Valley.

It has also diverted from the channels of trade and commerce in the United States millions of dollars which are now spent for drink by American tourists in Canada, Mexico, Cuba, the Bahamas, the Bermudas, and Europe. It is said that as many as 200,000 tourists from this country visit Montreal and Quebec each season, and that a large, if not the greater part, of them are attracted to those cities by the opportunities that they afford to the American visitor to gratify a perfectly legitimate instinct without any danger of being pestered by snoopers or spies. It is computed by Gilson Gardner, the well-known newspaper writer, who has made a special study of Canadian liquor conditions, that out of the total annual gross receipts of the Quebec Liquor Commission 40 per cent, or the sum of \$16,000,000, is derived from American patrons of Canadian liquor stocks. When I was in the crowded dining room of the Mayfair Hotel in London a few months ago, I observed that there was hardly an American diner in the room—and with scarcely an exception all the diners were Americans—who was not enjoying a bottle of wine with his dinner. Truly, indeed, does the old Latin writer say that men who cross the seas change their sky but not their natures, and yet like some magic spell of enchantment in a fairly tale the spell of genial fellowship that has been worked by wine in social intercourse since the earliest dawn of human history was by the Volstead Act expected to be reversed as soon as those diners turned their backs on London and their faces toward the United States. In England, where there is no such thing as prohibition, drunkenness is steadily declining, and during the whole time that I was in France, before I went to London (a period of some weeks), I never saw a man in the slightest degree under the influence of drink, though I observed, as every traveler does, that every carpenter or mason in Paris, as well as his employer, takes his glass of wine with his midday meal. After observing the habits of some of the European peoples, I find myself asking whether if such a thing as prohibition were submissively accepted by a people, that very fact would not betoken a low rather than a high state of civilization; in other words, a human society which was constrained by its own lack of

moral and social culture to rely for sobriety upon legal compulsion rather than upon the promptings of social decency nurtured by the church, the home, and the general canons of good conduct.

National prohibition has worked no improvement in the health of the American people. The most that the inexorable statistics of drunkenness permit the prohibitionists to claim is that the volume of liquor drunk now is less than the volume drunk before the adoption of the eighteenth amendment. A very humble claim indeed is that, if it can be sustained at all, when the fact is borne in mind that the vast machinery of the Federal Government has been kept in motion ever since the adoption of that amendment for the purpose of suppressing drink altogether. If the prohibitionist is right in his claim then it must be due to the terribly toxic character of the stuff with which prohibition has poisoned the bowels of the American people, such as wood alcohol, the fusel oil in new-made whisky, and the denatured alcohol that the Federal Cæsar Borgia denatures with lethal and nauseous ingredients that the health of the American people is as deeply prejudiced by alcoholism to-day, to say the least, as it was before the adoption of the eighteenth amendment. In 1926, the death rate among the 17,000,000 industrial policyholders of the Metropolitan Life Insurance Co. was the highest in the history of that company since 1917, and was 24 per cent in excess of the death rate among the same policyholders from the same cause during the year 1925.

I take these statements from a statistical bulletin issued by the company during the present year. In a report, rendered in 1925, by the State Hospital Commission of the State of New York, it was alleged that alcoholic insanity had trebled in that State during the five years of national prohibition. In a statement issued during the present year Dr. George H. Bigelow, commissioner for public health in the State of Massachusetts, finds that in the States included in the registration area of the United States Census Bureau deaths from alcoholism have increased more than 500 per cent since the first year of the Volstead Act. The effect of prohibition, taken in connection with the precautions that the Government adopts to prevent the diversion of industrial alcohol from industrial purposes, is to place the Government in the position of frequently visiting a mere human weakness with capital punishment. National prohibition has greatly stimulated the use of narcotic drugs. When a besieged town is deprived of wholesome meat it takes to eating rats. The total number of convictions under the Federal antinarcotic act rose from 2,865 in 1922 to 3,465 in 1926.

The national prohibition act has fostered not only a profound contempt for itself but more or less disrespect for law generally. It is safe to say that, perhaps, one-half of the people of the United States would feel no moral obligation to report a violation of the Volstead Act that had been brought to their notice; and such an attitude toward one law, however specially obnoxious, unquestionably tends to create the same attitude toward other laws. The worst thing about the pathology of prohibition is the fact that it has brought thousands of the most reputable men and women in our American communities into close working relations with some of the most disreputable of their inhabitants. These good people do not balk any more at the thought of using drink purchased from the bootlegger than at the thought of consuming supplies bought from the baker or the grocer. Indeed, many of them speak of "my" bootlegger as familiarly as they might speak of "my" baker or "my" grocer. In the great city of Baltimore, in which my life is passed, I can truly say that I do not know a human being who offered a cocktail or mint julep to a guest before dinner or wine during it, before the adoption of the eighteenth amendment, who does not do so now. It may be that all this supply is derived from preprohibition stocks, but, if so, it must have some of the miraculous quality of the widow's cruse. It is true that there is a procession of prisoners, who might have been honorable or useful citizens but for the temptations created by an unnatural and unworkable law, forever filing through our Federal court in Maryland. The number of persons convicted of violations of the Volstead Act in Maryland has risen from 291 in 1921 to 1,013 in 1926. But it is the bootlegger and not his patron who is found in this procession. He not only suffers on his own account but suffers vicariously for the sins of his customer also. It is bad enough to see ordinary citizens living in habitual violation of any law, especially when the lawlessness assumes the form of entertainments given in private homes and clubs to distinguished visitors from abroad, but how much worse is it to see individuals occupying high stations in the public life of the country also violating such a law? This, of course, is a matter about which social decency does not permit one to speak very freely, but to go no further, who that has been a Member of Congress is not familiar with the Congressman with the dry tongue and the wet throat?

Especially distressing is the change which has taken place, since the passage of the Volstead Act, in the relations of women and youthful persons of both sexes to drink. A few years ago a woman was rarely seen drinking a cocktail or a mint julep at a respectable social entertainment, even in one of our great cities. Can that be said to-day? The champions of prohibition "are obliged to admit that drinking among women is rapidly increasing." Bishop Thomas Nicholson, of Chicago, the president of the Anti-Saloon League, was reported in the press to have declared at the thirtieth annual convention of the

league, at Washington, in January, 1924. As is true of men, there are some things, perhaps, that women would not do if they were not tyrannically forbidden to do them. To the love of adventure and excitement, which, when legitimately gratified, is one of the most winning traits of youth, prohibition has proved a seductive lure of the most demoralizing character. After traversing a large part of the United States, Ernest W. Mandeville, a writer in the Outlook, says: "Women and young boys and girls of social classes, that never took a drink before prohibition, are now indulging in liquors which are a menace both to their morals and their health." This statement has been strikingly corroborated by the testimony of Police Commissioner Richard E. Enright, of New York, and the Washington City police department. "Inability of the prohibition law to enforce prohibition is causing an increase in the number of young boys and girls who became intoxicated," said Judge H. C. Spicer, of the juvenile court, at Akron, Ohio, quite recently, when two boys, aged 15 and 16, were arraigned before him. "During the past two years," he further declared, "there have been more intoxicated children brought into court than ever before." In June, 1926, Sir Philip Gibbs, the celebrated newspaper correspondent, on his return from a visit to this country, said, after referring to women and young girls whom he had seen intoxicated, "in one of the best houses of a great city in the West: 'College boys carry flasks in their hip pockets and give drinking parties to girl friends.'" One of the worst tendencies of prohibition, as we know, has been to promote the use of hard liquor, at the expense of wine and beer, and to give to the lawless hip flask the place that was once occupied by the reputable decanter. Prohibition has also had the morbid effect of rehabilitating the reputation, without rehabilitating the character, of the poor drunkard. Formerly he was a sort of "drunken helot," and was frequently pointed out as an illustration of the discredit that sooner or later overtakes the habitual drinker. His relations and friends, in their efforts to control his appetite, plead with him, remonstrated with him, warned him, even threatened him; but how difficult to-day is it for many of the temperate relations and friends of a drunkard to enter, with a grave face, upon the task of adjuring or admonishing him to refrain from a mere breach of social decency, when they themselves are violating Constitution and statute!

That prohibition is among the causes which are responsible for the frightful prevalence of murderous violence in the United States at this time there can be no doubt. Scratch a gunman in one of our largest cities and 10 to 1 you will find a bootlegger. Morgan A. Collins, the chief of police of Chicago, in speaking of such wars as rival bootleg groups in northern and southern Illinois were waging against each other, with gas bombs and masks, machine guns and airplanes, affirmed that the situation was "an almost hopeless one," and placed the blame for it all on the lack of popular sympathy which made prohibition a toothless thing.

And how could prohibition be otherwise than the fecund mother of crime? When one law is notoriously too obnoxious to the human reason to command general obedience, the lawlessness that it produces is certain to diminish respect for other laws in breasts none too friendly to any law. In the heart of every community there is an element of which, to use Shakespeare's phrase, neither the world nor the world's law is a friend; and can any sensible man doubt that in time the inevitable sequel of branding and jailing thousands of human beings as criminals on the theory that it is a flagitious crime to sell or possess even a drop of intoxicating liquor, will be the creation of a large body of truly base criminals, ripe for any crime, however heinous? Law in the United States has shown itself but a poor hand at checking crime, but with the aid of the Volstead Act it is in a fair way to demonstrate that as an agency for artificially hatching out criminals it is an efficient thing indeed.

National prohibition, I hardly need say, has also proved a fruitful mother of official corruption. In the beginnings of the Volstead Act the Anti-Saloon League opposed every attempt to bring the field positions of the Prohibition Unit within the scope of the national merit system of appointment. It wished to retain them as spoils, with which to influence the votes of Congressmen, or to gratify the recommendations to appointment of the church element which supplied it with funds. As that accomplished and upright citizen, William Dudley Foulke, who was at one time a member of the United States Civil Service Commission, said, the league "thereby made all these places the spoils of Congressmen, many of whom unscrupulously secured the appointment of scoundrels, who accepted bribes, dishonored the service, and made the enforcement bureau what President Harding himself called it: "A national scandal." So rapidly did this scandal grow and spread, so loaded down with popular opprobrium did the field service of the Prohibition Unit become, that at the last session of Congress an act was passed, at the eager request of the league, bringing all field places in the Prohibition Unit within the scope of the national merit system of appointment. It remains to be seen whether anything will result but the defilement of that fine system, too. During the recent hearings before a Senate subcommittee I brought out the fact that between the

first organization of the prohibition service and February 1, 1926, 875 persons had been separated from the Prohibition Unit, mostly for official faithlessness or downright rascality, in one form or another, exclusive of delinquents not dismissed but allowed to resign. Since that admirable organization the Coast Guard has been brought within reach of the contaminating touch of the Volstead Act wave after wave of sensational scandal has passed over it; though, to its honor and the honor of its gallant commander, Rear Admiral F. C. Billard, be it said no commissioned officer in its ranks has been convicted of any form of misconduct in connection with prohibition work. Some cases have been reported by Associated Press dispatches in which it has been charged that the landing of illicit liquor on our shores has been actually effected by the crews of Coast Guard boats.

There are not a few brave and honorable men in the field force of the Prohibition Unit, but drunken prohibition agents, reckless prohibition agents, red-handed prohibition agents, perfidious prohibition agents, corrupt prohibition agents, who, that reads the newspapers, from day to day, is not familiar with them all? What community is there in the United States that has not had their misdeeds brought home to it by ruthless invasions of the home, by blood rashly shed, by captured liquor, diverted to their own use, by squalid venality, by detestable perfidy and trickery? Some time ago a prohibition agent in Maryland obtained proof of a violation of the Volstead Act by the mother of a girl by pretending to make honorable overtures of marriage to the daughter. Most of you doubtless recall the speakeasies that have been set up by prohibition officers themselves, in violation of the Volstead Act, as traps for faithless prohibition agents and policemen. And, despite their higher rank, many of the prohibition administrators have been no better than the unworthier prohibition agents. In May, 1926, attention was called in the press to the fact that all four of the Federal prohibition directors, who had been appointed for the State of Wisconsin, had successively become implicated in charges of criminal collusion with liquor outlaws. In November, 1926, General Andrews stated that of the 24 men that he had appointed as prohibition administrators only 9 remained in the office to which they had been appointed, and that in the course of his wholesale turnover he had found it necessary to get rid of a number of subordinates who were either going wrong or refusing to carry out the established policies (to use his own words). State officials, too, as well as Federal officials have been infected by the black plague. Among the 79 persons, including gangsters, saloonkeepers, and bootleggers, indicted at Chicago in October, 1926, for conspiracy to violate the Volstead Act were the mayor and chief of police of Cicero, one of the suburbs of Chicago. Several years ago it took two Pullman cars to convey to the Atlanta Federal Penitentiary the disloyal policemen and prohibition agents caught up on a single raid in Ohio. In September, 1926, in a raid by more than 100 prohibition officers in the "hell-hole" section of Berkeley County, S. C., part of the bag was a Federal prohibition agent, a State constable, and a county sheriff. In other words, the offended majesty of almost every branch of our American political organization was vindicated at a single sweep. Nevertheless, I am afraid that prohibition will make more "hell holes" than it will ever plug up. If I had time, I could recall dozens of illustrations of the rottenness that resides in the very core of the whole police authority upon which the Volstead Act relies for enforcement. But I might well content myself with condemning that authority out of its own mouth. In July, 1926, Edgar R. Ray, prohibition commissioner for western Pennsylvania, in resigning his office said: "This position is best suited for a rich man or a crook. I am neither." Only last month Col. Ira L. Reeves, shortly after resigning as prohibition administrator for the State of New Jersey, said in a newspaper article that men engaged in prohibition enforcement work "depart from the service in two classes—either enriched in pocket or impoverished in character and reputation. I doubt," he added, "if ever before in American history were Federal officials held in such contempt by the general public." As far back as 1925, General Andrews, himself, declared that the bribery of Government officials was the chief obstacle in the way of the enforcement of the Volstead Act.

Only a few days ago, Seymour Lowman, General Andrews's successor, could find nothing more hopeful to say than this: "The great problem is to find for enforcement work, in the Prohibition Bureau, skilled men who will withstand the temptations that beset enforcement officers." In the spring of 1925, Marna S. Poulson, the superintendent of the New Jersey Anti-Saloon League, was reported, in the New York Times, as saying, in an address, at a prohibition rally at Atlantic City: "I don't know of anyone who can make a dollar go further than policemen and dry agents. By frugality, after a year in the service, they acquire automobiles and diamonds." The only hope for the Government, so far as I can see, is to appoint the Angel Gabriel, as Assistant Secretary of the Treasury, and to supply him with a field, or rather air, force, of arch-angels and angels, selected in accordance with some system of competitive examination even more searching than our Federal one.

The narrow-minded, acrid spirit, fostered by prohibition, is largely responsible for the excesses of the Ku-Klux Klan. It and the Klan are twin cherries. Whenever you find a community in which sectarian bigotry is rife in its most rabid and repulsive forms, and masked and

hooded miscreants do not hesitate to flog even old men, boys, and women, there you will find the prohibitionists keyed up to the highest pitch of fanaticism.

I read a day or so ago in the Baltimore Evening Sun that the klan outrages in Alabama, which have recently stirred so deeply the indignation of the enlightened newspapers and citizens of that State, went on from week to week, for four weeks, before two of the leading prohibition organs of Alabama would even comment on them.

After all, however, the gravest responsibility to which prohibition is amenable is that of having called such an organization as the Anti-Saloon League into life. As I have recently said, this league is partly political and partly clerical; that is to say, political enough to discredit the church by bringing it into intimate contact with the mercenary and squalid side of political activity, and clerical enough to be a deadly menace to the independence of the State. If the Catholic Church had set up in this country the kind of Vatican that the league has set up at Washington, and had collected the kind of Peter's pence in this country that the league has collected, a mighty shout of protest would have ascended from one end of the American continent to the other.

No word will ever escape my lips derogatory to the church or to religion, or to any minister of the gospel, who, in the performance of his duties, as a citizen, is true to the reserve of his sacred calling. For years I have been a member of the Protestant Episcopal Church. I was born and bred in a Christian home, in Southside, Va., and, next to the influence of that home, nothing has ever been of such service to me, in my efforts to preserve my character from reproach, as the influence exerted over me in my early life by the teachings and the example of some of the Presbyterian divines in that region, who were in learning, in personal dignity, and in purity of life quite the equals, if not the superiors, of any group of individuals that I have ever known. Though, during my boyhood, the region, in which those godly men lived and discharged their duties, felt in full force all the political passions and anxieties of that evil time, never once did I hear one of them utter a word in the pulpit that had the slightest tinge of politics about it. They knew that if ministers of the Gospel could only implant in the hearts of their hearers the general principles of conduct inculcated by Jesus Christ, they could safely leave to the State the high function of harmonizing all its actions with the righteousness that exalteth a nation.

But when I speak of the Anti-Saloon League as I do I feel that I am rendering a service to the church as well as to the State. As I see it, the ministers, who constitute a large part of its executive committee and are the real propelling force behind it, wholly misconceive the scope of their professional office and grossly violate the spirit of the Federal Constitution when they collect enormous amounts of money and use them in befriending or defeating candidates for legislative or other offices, in feeing Members of Congress and other public officials enlisted in its propaganda, and in bulldozing members of all kinds of legislative bodies who are too weak to face and defy their efforts to strip them of the independence and free discretion with which it was the intent of our Federal and State Constitutions to clothe them.

All the inner workings of the Anti-Saloon League have not yet been completely exposed by the Reed Senate committee, for when it was sitting Wayne B. Wheeler was successful in preventing the names of some of the pecuniary contributors to the activities of the league from being divulged. But the records of the league have, for the first time, been laid sufficiently bare to enable us fully to understand just how the adoption of the eighteenth amendment was brought about. It is enough to say that, while that event is largely attributable to just resentment against the abuses of the old saloon, and is partially attributable also to the overstrained feelings kindled by the World War, it is to a very great extent ascribable to the lavish use of money by the league. The Reed committee elicited the fact that during the period from 1920 to 1925 the league expended no less than \$13,655,313.72, and from its official records, which came into the possession of the committee, it would appear that the amounts previously collected and disbursed by the league, from 1883 to 1918, aggregated \$50,000,000, making a grand total, exclusive of amounts expended by the league in the years 1919 and 1926, of no less than \$63,655,313.72. There is reason to believe that the whole slush fund expended by the National Anti-Saloon League and its subsidiaries during the period between 1917 and 1926 approximated quite closely the combined amounts expended by the Republican and Democratic Parties in the two presidential contests which took place during that interval.

Can any intelligent man doubt that the expenditure of such enormous sums as these by such an association as the Anti-Saloon League can be otherwise than an appalling menace to the freedom of elections and to the principles of representative government contained in our Federal and State constitutions? Can anyone who knows what a greedy thing power is doubt that, if the sway of that league is not shattered, it will ultimately seek, in still other forms than prohibition, to impose its tyrannical and proscriptive will upon the people of the United States? Already its history has vindicated the wisdom of the provision in the Maryland State constitution which prohibits any clergyman from being a member of the Maryland Legislature, and gives not a little point to

the malignant observation of John Randolph of Roanoke that no countries are so badly governed as those that are governed by women, except such as are governed by priests. The climax of its aggressive insolence was reached when, as has now been established from its records by the Hearst press, its executive committee failed, on November 8, 1925, by a vote only to adopt a resolution which proposed to publish a manifesto address to the American people indicting President Coolidge of "misfeasance or malfeasance in office" and paving the way for his impeachment.

I have said so much about the abuses of prohibition that I have hardly left myself any time to say a word about the steps that should be taken to bring them to an end; but I have formed definite views upon that subject, which I have frequently expressed.

The first step should be to elect some such Democrat as Alfred E. Smith, of New York; Albert C. Ritchie, of Maryland; or JAMES A. REED, of Missouri; or some such Republican as Nicholas Murray Butler, of New York; James Wadsworth, of New York; or WALTER E. EDGE, of New Jersey, to the Presidency on a platform calling for the modification of the Volstead Act and the eighteenth amendment. The next step should be to modify the Volstead Act in such a manner as to permit the use of beer with as high an alcoholic content as can be produced without dishonest evasion of the eighteenth amendment. Both General Andrews and James Cooper Waddell, the recent head of the alcohol and brewery control squad of the Prohibition Unit, have expressed the opinion that the general use of such a beer would distinctly improve the present situation. It would, at least, tend to wipe out the grossly invidious discrimination against the less fortunate members of society which the practical workings of prohibition now make in favor of those who either own their own preprohibition stocks of liquor or can afford to pay high bootleg prices. In these academic walks it is peculiarly timely to remember that the Volstead Act was not passed by Congress except over the veto of that renowned alumnus of this institution, Woodrow Wilson.

The next step should be to amend the eighteenth amendment in such a manner as to empower Congress to establish a system of liquor control, compounded partly of Government supervision and partly of local option, akin to that which is now being administered with such brilliant results in the Province of Quebec. In four years the Quebec system of liquor control cut down drunkenness in Montreal by more than one-half, and it is steadily promoting the use of wine instead of whisky, which was one of Jefferson's cherished ideals. I have recently introduced into the Senate a bill looking to such a constitutional amendment as I have just suggested, and when the next Congress convenes I shall reintroduce it.

In conclusion let me add that I trust that what I have said in the course of my address has not been misconceived. With excess in drink I have no patience whatever. Throughout my life I have been one of the most temperate of men and, beyond drinking an occasional glass of wine or so, I do not drink any alcoholic beverage at all. I can truly say that I abhor drunkenness only less than I do prohibition; and I abhor prohibition more because it is not only a source of drunkenness itself but of moral and social abuses far worse than drunkenness. Even if prohibition prohibited, I should be opposed to it, believing as I do that it is based upon ethical extravagance and a totally false philosophy of life. Puritanism has never been a permanent phase of human history, but only a passing episode, for the simple reason that it imposes upon the normal and healthy attributes of human nature an intolerable burden of restriction. Not infrequently, as in the case of the English Puritan Commonwealth, it merely breeds back to lawlessness and vice. Man is not a vinegar bottle, though the prohibitionist would fain have him so. Rather is he, to recall the beautiful image of Coleridge, "a breathing house not made with hands," full of eager sensations, appetites, and desires, which do nothing but minister to his rational happiness so long as he does not gratify them to the extent of injuring himself or others. Temperately indulged, they are not less lawful than our moral and intellectual promptings. All our propensities and passions tend to excess; every one of them; and there is no man who might not, like John Randolph of Roanoke, smite himself over his heart with his fist and exclaim: "This rebel is ever in revolt." But it is also true that the same power which has clothed us with our warm garment of flesh has also endowed us with a reason and a conscience which are often far safer guides to human conduct than the artificial restraints of any constitution or statute, however imperious.

#### EXECUTIVE SESSION

Mr. CURTIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business.

After five minutes spent in executive session the doors were reopened; and (at 4 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, January 11, 1928, at 12 o'clock meridian.

## CONFIRMATIONS

*Executive nominations confirmed by the Senate January 10  
(legislative day of January 9), 1928*

## REGISTER OF THE LAND OFFICE

George C. Crom to be register of the land office, Gainesville, Fla.

## UNITED STATES COAST GUARD

Marvin T. Braswell to be temporary ensign.

## POSTMASTERS

## ALABAMA

John Thompson, Altoona.  
Thomas P. Bonner, Ashland.  
Jacob E. Hood, Cordova.  
John N. Edwards, Eclectic.  
Robert B. Evans, Elkmont.  
Ada M. Burks, Fairfield.  
Henry A. Cathey, Florence.  
Lonnie W. Johnston, Hanceville.  
Stephen H. Murphy, Huntsville.  
Roy M. Boak, Lineville.  
Ruth K. Conerly, Lockhart.  
James L. Ragland, Pell City.  
Emerson E. Etheredge, Town Creek.  
Martin E. Forsyth, Union Springs.  
Edna Young, Warrior.  
Charles S. Prescott, Wedowee.  
Maggie Winningham, York.

## ALASKA

Henry S. Sogn, Anchorage.  
Stephen Birch, Kenecott.

## ARKANSAS

Jason O. Burns, Batesville.  
Abram J. Hansberry, Ozark.  
Charles E. Kemp, Trumann.  
George E. Davis, Wynne.

## COLORADO

Charles L. Rudel, Fleming.  
Lillian D. Watson, Louisville.  
Zella M. Hutchens, Seibert.  
Harry A. W. Larkin, Tabernash.

## CONNECTICUT

Frederick W. Griffin, Cheshire.  
Allen C. Bennett, West Willington.

## DISTRICT OF COLUMBIA

William M. Mooney, Washington.

## GEORGIA

Clive A. Renfree, Lumber City.  
Irene W. Field, Monroe.

## HAWAII

John I. Silva, Eleele.  
Manuel J. Carvalho, Makaweli.

## ILLINOIS

Lewis B. Tuthill, Anna.  
Hugh Martin, Argenta.  
Esther V. Wheeler, Ashmore.  
Frank Gain, Astoria.  
Fred W. Pitney, Augusta.  
John H. Holthaus, Aviston.  
Raymond Phillips, Beecher City.  
William Hughes, Bement.  
Lewis A. Roberts, Blandinsville.  
Russell S. Brown, Brighton.  
Della M. Green, Cambria.  
Alice Jenkins, Carriers Mills.  
Cecil W. Bishop, Carterville.  
Thomas R. Pearce, Chillicothe.  
Thomas F. Wharrie, Coal City.  
Herbert D. Short, Coffeen.  
Guy H. McKelvey, Coulterville.  
Robert L. Endicott, Crossville.  
Fred E. Flessner, Cullom.  
Carroll C. Porter, Dahlgren.  
George A. Kraus, Danvers.  
William W. Taylor, Divernon.  
John E. Moyer, Dixon.  
Louis O. McKerrow, Elmwood.  
William E. Mickle, Emden.  
Glenn S. Wade, Farina.  
Perry Westerfield, Frankfort Heights.  
George L. Spangler, Franklin Grove.

Walter J. Ehrler, Galena.  
George J. Patterson, Genoa.  
Bennett F. Henderson, Georgetown.  
Charles O. Selfridge, Good Hope.  
Thomas M. Jones, Goreville.  
John R. Hanlon, Grant Park.  
Elmer L. Trowbridge, Green Valley.  
Silas H. Rich, Gridley.  
Adam P. Brown, Henry.  
Ina R. Stout, Hopedale.  
William Sutton, Kempton.  
William T. Bedford, La Salle.  
Elizabeth K. Welch, Lexington.  
Daisy M. Uphaus, Macon.  
Mayme F. Brooke, Matteson.  
Margaret T. Layne, Menard.  
George E. Whitmore, Mendota.  
Clark D. Smith, Milan.  
Marion F. Stewart, Moweaqua.  
Lydia Drain, Oconee.  
Lewis E. Selby, Pekin.  
Charles B. Switzer, Piper City.  
Homer H. Cravens, Plymouth.  
Benjamin F. Bosley, Ransom.  
Ted Henderson, Ridge Farm.  
Samuel M. Combs, Ridgway.  
Lewis H. Richards, Scales Mound.  
William J. Parsons, Silbis.  
Rollin A. Gouwens, South Holland.  
Charles E. McPheeters, Sullivan.  
Ralph K. Crawford, West Point.  
Henry J. Busefink, West Salem.  
Elmer C. Thorp, Winslow.

## INDIANA

David R. Alpaugh, Andrews.  
Samuel Ratcliff, Bainbridge.  
John S. Moore, Battle Ground.  
Earl L. Eldridge, Boswell.  
Claude A. Warr, Brook.  
Earle O. Gilbert, Brooklyn.  
Roy J. Lingeman, Brownsburg.  
Hugh R. Foss, Cambridge City.  
Samuel C. Morgan, Campbellsburg.  
James E. Thompson, Clarks Hill.  
Finley Franklin, Clayton.  
Job C. Burnworth, Columbia City.  
Edward C. Bales, Dana.  
Elvin R. Long, Denver.  
Erasmus R. Bartley, Greencastle.  
Richard H. McHie, Hammond.  
Ralph W. Monfort, Hartford City.  
Ned A. Parham, Howe.  
John J. Himsel, Jasper.  
William H. Morey, Lowell.  
Roy E. Tillford, Martinsville.  
Charlie O. Alton, Milan.  
James W. Robinson, Milford.  
Neil W. Troutman, Montpelier.  
Harry S. Irvin, Morocco.  
John F. Trimble, Morristown.  
Almeda B. Lochard, North Madison.  
Luella Moore, Orleans.  
Gerry E. Long, Porter.  
James E. Turner, Roann.  
Charles E. Noble, Rolling Prairie.  
Celia Johnson, Russiaville.  
Glen R. Brown, Spiceland.  
Reader J. Meroney, Topeka.  
George A. White, Union Mills.  
Orville C. Bowen, Upland.  
E. Delight Bradford, Vanburen.  
Betty M. Miller, West Baden.

## IOWA

Sigvart T. Kittlesby, Calmar.  
Howard C. Copeland, Chariton.  
Freddie Baldwin, Chester.  
Ella Yeager, Cincinnati.  
Wilbur C. Patterson, Cresco.  
William Linnevoold, Decorah.  
Leander G. Kelley, Lamoni.  
Thomas A. Sanders, Malcom.  
James F. Albert, Moravia.  
John M. Garrett, Moulton.  
Keith Gray, Postville.

George M. Wright, Russell.  
Gabriel Pederson, Waterville.  
Carl Wulkau, Williams.

## KANSAS

Harry W. Adams, Elkhart.  
Patrick H. Lindley, Havana.  
Frank A. Moore, Tribune.

## MARYLAND

Walter A. Aaronson, Aberdeen.  
Luther Bennett, Goldsboro.  
James O. Wilson, Hebron.  
William J. Lyon, Hughesville.  
William Marshall, Lonaconing.  
Jessie P. Smith, Luke.  
James J. Shoemaker, Sandy Spring.  
Guy M. Coale, Upper Marlboro.

## MINNESOTA

Prudence M. Crosbie, Brewster.  
Cora E. Cook, Chandler.  
Olga P. Hatling, Dalton.  
Georgia C. Hompe, Deer Creek.  
Ralph C. Peterson, Dllworth.  
Theresa E. Thoreson, East Grand Forks.  
Halsey C. Baldwin, Edgerton.  
Edward B. Anderson, Elbow Lake.  
Clarence W. Ivey, Elmore.  
John A. Gregerson, Fertile.  
George H. Baer, Frazee.  
Albert W. Johnson, Fulda.  
Charles A. Anderson, Greenbush.  
Frank H. Groetsch, Green Isle.  
Nels O. Strommen, Halstad.  
John M. Johnson, Hills.  
Olive C. Hall, Hollandale.  
Carl F. Peterson, Kennedy.  
Cline C. Parker, Kinney.  
William P. Marston, jr., Lake Crystal.  
Mary C. Anderson, Lake Lillian.  
Roy Coleman, Lancaster.  
Walter J. Westensee, Lewisville.  
Torstein M. Teigum, Madelia.  
Arnold E. Talle, McIntosh.  
Isaac I. Barga, Mountain Lake.  
Harry F. Ward, Redwood Falls.  
Clayton A. Larsen, St. James.  
Grace R. Perry, St. Vincent.  
Josephine E. Brockman, Triumph.  
Theodore C. Radde, Truman.  
Alice K. Hill, Upsala.  
Milda Rieman, Vergas.  
Henry W. Fingarson, Walnut Grove.  
John N. Ross, Westbrook.

## NEW JERSEY

John B. Buzby, Clayton.  
Frank J. Allen, Delair.  
John P. Adair, Highlands.  
Richard T. Beak, Shrewsbury.  
Harry H. Hilyard, Williamstown.

## NEW YORK

Charles N. Wood, Angola.  
Annie J. McFadden, Ardsley.  
Joseph A. Douglas, Babylon.  
Howard E. Whealey, Baldwin.  
Arthur L. Howard, Baldwinsville.  
Clarence G. Jones, Barneveld.  
Rudolph W. Schoverling, Bayville.  
Maud Rogers, Bridgehampton.  
George H. Farley, Broadalbin.  
Lawrence R. Ryckman, Brocton.  
Ernest K. Hudson, Castleton on Hudson.  
Charles W. Brock, Cattaraugus.  
Margaret R. Mulligan, Central Islip.  
Carolyn F. Parker, Cheertown.  
Norman D. Higby, Constableville.  
Clarence L. Grippen, Corinth.  
George C. Palmer, Cuba.  
Mable I. Alverson, Dexter.  
Rhoda Hoyt Lee, Dundee.  
Raymond L. Hodge, East Syracuse.  
George A. Matthews, Eden.  
Gaylord F. Carpenter, Elbridge.  
Philip E. Schaefer, Fleischmanns.  
Walter A. Pierce, Fort Ann.

William A. Patterson, Gansevoort.  
Edward T. Cole, Garrison.  
Arthur Decker, Goshen.  
Paul W. Christenson, Gowanda.  
Will E. Roberts, Granville.  
Ella E. Rodger, Hammond.  
Ray F. Dunlop, Harrisville.  
Walter J. Pelham, Hensonville.  
Claude H. Preston, Heuvelton.  
Clara E. Tettermer, Hewlett.  
Frank W. Thornton, Holland.  
Thomas J. Wintermute, jr., Horseheads.  
Skidmore Pettit, jr., Jamaica.  
Joseph R. Cowell, Jordan.  
Herbert L. Merritt, Katonah.  
Waldron R. Hulst, Lagrangeville.  
Lizzie G. Hall, Little Valley.  
Fred H. Van Doren, Lodi.  
Henry Strube, Long Island City.  
Charles L. Stackpole, Lyon Mountain.  
Wallace Moore, Madalin.  
Lizzie M. Tuthill, Mattituck.  
Ernest K. Smith, Middleburg.  
Perry R. Bennett, Milford.  
Edith A. Parker, Moravia.  
Albert Lynd, Nassau.  
Charles H. Brown, Orchard Park.  
Carl R. Allen, Oriskany Falls.  
James Owens, Ossining.  
John T. Mills, Oyster Bay.  
Frank V. Palmer, Philmont.  
Mabel S. Griswold, Pottersville.  
Park J. Johnson, Ripley.  
Bruce S. Preston, Roxbury.  
Max C. Headley, Rushville.  
George H. Farley, Sag Harbor.  
John D. Fratsher, Saugerties.  
William H. Savage, Seneca Falls.  
Frank A. Erickson, Sherman.  
William W. Bates, Sidney.  
Helen M. Braisted, Silver Bay.  
William A. Hilton, Skaneateles.  
Armon P. Gunnison, Sodus Point.  
William M. Ackerman, Sparkill.  
Oliver Keator, Tillson.  
Marion E. Wroten, Trudeau.  
Ray W. McEwen, Waverly.  
Robert L. Putnam, Weedsport.  
George T. Anderson, Whitesboro.  
Julius H. Fisher, Wellsville.  
Jennie C. Stanton, West Camp.  
M. Clifton Seaman, Woodmere.  
C. Irving Henderson, Worcester.

## NORTH CAROLINA

Lester G. Hales, Baldenboro.  
John M. Tyler, Marion.

## NORTH DAKOTA

Ella C. Sweeney, Berthold.  
Nellie E. Gagner, Lignite.  
Donald B. McDonald, Maxbass.  
Elizabeth J. Olson, Medina.  
Ole S. Aaker, Minnewaukan.  
Clarence B. Stinson, Warwick.

## OHIO

Fred O. Simpson, Belle Center.  
Charles T. Cline, New Matamoras.  
James E. Simpson, jr., Racine.  
Alta N. Johnson, Rushsylvania.  
Russel A. Medaugh, Spencerville.  
Milton W. Stout, West Liberty.

## PENNSYLVANIA

Harold Coburn, Allison.  
Bennett H. Light, Avon.  
Willa F. Beall, Beallsville.  
August Neimeyer, Drexel Hill.  
George V. Glenn, East Butler.  
John D. Gerhart, East Greenville.  
Haydn E. Lupold, East Petersburg.  
John M. Thompson, Elizabeth.  
Cletus L. Goodling, Farm School.  
John S. Windle, Fernwood.  
Mildren E. Henn, Freemansburg.  
Charles O. Wescoe, Fullerton.

Margaret M. Callahan, Glen Mills.  
 Edwin B. Heckler, Harleysville.  
 Walter W. Gilmore, Hillsville.  
 Caddie L. Greth, Laureldale.  
 Anna W. Kerr, Lincoln Place.  
 Ethel H. Palmer, Linwood.  
 Rhea L. Moyer, Macungie.  
 William J. Lytle, Mayview.  
 Albert W. Watts, McVeytown.  
 James B. Flounders, Media.  
 Edwin W. Crawford, New Castle.  
 Mary R. Clapper, New Enterprise.  
 Edwin Zimmerman, Newmanstown.  
 Anna C. Young, North Glenside.  
 William M. O. Edwards, Pencoyd.  
 Bertha G. Thomas, Port Kennedy.  
 Milton H. Vanness, Rummerville.  
 George E. McGlennen, Sharon Hill.  
 Calvin S. Leitner, Sheridan.  
 David K. Angle, Shippensburg.  
 Temple K. Gregg, Strafford.  
 John S. Butterworth, Wallingford.  
 Elmer E. Grover, Wapwallopen.  
 Karl M. Lyons, Warren.  
 Mary E. Tunney, West Brownsville.  
 Edwin K. Gedortha, Woodville.  
 Howard M. Gardner, York Springs.

## WASHINGTON

William G. Powell, Aberdeen.  
 Louis H. Gurnsey, Addy.  
 Charles P. Stapp, Anacortes.  
 Fred H. Tonkin, Black Diamond.  
 Mark Harris, Brush Prairie.  
 Allison C. Presson, Buena.  
 Eliza F. Head, Cathlamet.  
 Julius C. Raaberg, Clarkston.  
 Arthur B. Cass, Connell.  
 Will T. Howard, Coupeville.  
 William W. Woodward, Darrington.  
 Henning E. Johnson, Du Pont.  
 Herbert P. Fisher, Garfield.  
 Tillman E. Kamerer, Hanford.  
 Charles C. Mulligan, Kirkland.  
 Ernest R. Anderson, La Center.  
 Andrew H. Bryam, Millwood.  
 Anna M. Robertson, Montesano.  
 James C. Blevins, Naches.  
 Charles A. Fiedler, Newport.  
 Hazel P. McVicker, Port Blakely.  
 George W. Edgerton, Puyallup.  
 John W. Cowdery, Rainier.  
 Fred B. Goldsworthy, Rosalia.  
 James Lane, Roslyn.  
 Charles M. Perkins, Seattle.  
 Warren P. Cressy, South Bend.  
 Robert O. Logsdon, Sprague.  
 Emmett V. Fleming, Springdale.  
 James H. Adams, Waitsburg.

## WISCONSIN

John Meili, Alma.  
 Carl L. Christianson, Bloomer.  
 Thomas A. Walby, Hudson.  
 Norma A. Rheingans, Jackson.  
 Henry J. La Grandeur, Somerset.  
 Lewis H. Cook, Wausau.

## WYOMING

Henry C. Miller, Douglas.

## HOUSE OF REPRESENTATIVES

TUESDAY, January 10, 1928

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Look down, bend low, our Heavenly Father, and hold us in the shadow of Thy presence. With tenderness and compassion, O teach us the way to see, to reason, to act, and to bear our part that we may be a real blessing to our country. We are at our best only when we fulfill the purpose for which we are here. Make us keenly sensitive of our reputation and opportunities. By prolonged and studious effort help us to learn the most beautiful and valuable lessons of life. By the conquest of difficulties help us to live sweeter in our hearts and braver in our lives.

Keep us better than the bad and make us equal to the best. At Thy altar we ask for the blessing of humility—the wonder grace that never boasts of victory and never leaves a pain. Be gracious to all our land and bless our citizens everywhere with peace and plenty. Amen.

The Journal of the proceedings of yesterday was read and approved.

## MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Crockett, its Chief Clerk, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 773. An act to authorize the President of the United States to appoint an additional judge of the District Court of the United States for the Southern District of the State of Iowa; and

S. 1968. An act to authorize the Secretary of Agriculture to pay for the use and occupancy by the Department of Agriculture of the Bieber Building, 1358 B Street SW., Washington, D. C., and for other purposes.

## ENROLLED BILL SIGNED

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled a bill of the following title, when the Speaker signed the same:

H. R. 483. An act authorizing the Secretary of the Treasury to acquire certain lands within the District of Columbia to be used as sites for public buildings.

## SWEARING IN OF REPRESENTATIVE GEORGE S. GRAHAM, OF PENNSYLVANIA

Mr. WELLER. Mr. Speaker, on January 5 I was appointed by the Speaker to administer the oath of office to my distinguished colleague, Mr. GEORGE S. GRAHAM, of Pennsylvania. Mr. GRAHAM was in the Mount Sinai Hospital in New York, and on January 9, pursuant to House Resolution 72, I swore Mr. GRAHAM in as a Member of the House. The oath was administered in conformity with the rules of the House, and I offer the following privileged resolution and move its adoption.

The SPEAKER. The gentleman from New York offers a resolution, which the Clerk will report.

The Clerk read as follows:

## House Resolution 84

Whereas GEORGE S. GRAHAM, a Representative for the State of Pennsylvania, from the second district thereof, has been unable from sickness to appear in person to be sworn as a Member of this House, but has sworn to and subscribed the oath of office before the Hon. ROYAL H. WELLER, authorized by resolution of this House to administer the oath, and the said oath of office has been presented in his behalf to the House, and there being no contest or question as to his election: Therefore

Resolved, That the said oath be accepted and received by the House as the oath of office of the said GEORGE S. GRAHAM as a Member of this House.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. WELLER. Mr. Speaker, may I proceed by unanimous consent for one moment? Judge GRAHAM, our colleague, has undergone a most serious operation. It was not known for a while that he would survive the operation, but he has survived it and is now convalescent. It is my happy privilege to report to the House that Judge GRAHAM is doing very well and soon will be restored to his former good health and his position as an active Member of the House. [Applause.] However, in view of the fact that he is convalescing and will not for some time to come be able to be present on the floor of the House, I ask unanimous consent that an indefinite leave of absence be extended to him.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

## APPROPRIATION BILL FOR THE DEPARTMENTS OF STATE, JUSTICE, COMMERCE, AND LABOR

Mr. SHREVE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 8269) making appropriations for the Departments of State and Justice, and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1929, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 8269, with Mr. LEHLBACH in the chair.

The Clerk reported the title of the bill.

Mr. LAGUARDIA. Mr. Chairman, I have an amendment, which I offer, on page 40, line 6, to strike out the figures "\$3,672,500" and insert in lieu thereof the figures "\$3,707,500."

Mr. BLANTON. Mr. Chairman, that was practically decided on yesterday, and before we take that up with the small attendance we have now I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Texas makes the point of order that there is no quorum present. The Chair will count.

Mr. BLANTON (interrupting the count). Mr. Chairman, many Members have come in since the Chair began to count, and I withdraw the point of order.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. LAGUARDIA: Page 40, line 6, strike out the figures "\$3,672,500" and insert in lieu thereof the figures "\$3,707,500."

Mr. LAGUARDIA. Mr. Chairman, yesterday, just before the House adjourned, I offered an amendment which was defeated, increasing this appropriation by \$50,000. The chairman of the committee in charge of the bill made a most eloquent plea for the sake of economy. I have therefore reduced my amendment \$15,000 and ask for an increase of \$35,000.

There are 884 deputy marshals throughout the country. This small increase would enable the Attorney General to take care of an increase of salary for deputy marshals not only in New York but in Alaska and in every State of the Union. The distinguished gentleman from Pennsylvania [Mr. SHREVE] read from a report yesterday, according to which, on his own figures, over 200 of these deputy marshals are receiving \$1,500 a year—\$125 a month. I point out again that these marshals now, since the enactment of the prohibition laws, are intrusted with difficult and dangerous duties. They are required to serve papers in injunction and padlock cases, and the appellate courts have required actual personal service. Unless we have marshals who are contented, who are satisfied and properly paid, it is hardly to be expected that these men can perform their duties efficiently.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. LAGUARDIA. Just one moment, please. I submit that a deputy marshal ought to be paid a salary at least corresponding to that of a police officer in his own community. There are cases that I can agree where a deputy marshal in a small community, where the court does not sit every day, receives sufficient pay when he gets \$1,500 a year, but in a large city like New York, with the southern district and the eastern district, including Brooklyn, and in Alaska and in large cities where the court is in session every day and where these men work night and day, have car fares and are required to have their meals away from their homes, as they do not work within walking distance of their homes, it is simply disgraceful for the United States Government to expect these men to render good service with a compensation of \$1,500 a year.

Mr. BLANTON. Mr. Chairman, will the gentleman yield there?

Mr. LAGUARDIA. Yes.

Mr. BLANTON. Every Member present yesterday agreed with the distinguished gentleman from New York that such deputy marshals should receive more pay, but the chairman pointed out that his committee has already recommended an increase of over \$100,000.

Mr. LAGUARDIA. But we still have more than 215 men getting only \$1,500 a year. Surely \$35,000 is not going to break the United States Government to give the deputy marshals, carrying with them the emblem of the United States and representing the United States Government in enforcement of the law. I have no idea that all of this \$35,000 will reach New York. I say it is ridiculous to come here and make speeches about the nonenforcement of law and then stand up here and refuse to give these men a decent wage. It is outrageous to expect a man in a large city to live on \$1,500 a year.

Mr. LINTHICUM. Does the gentleman think there is no sincere and earnest effort at law enforcement by this administration?

Mr. LAGUARDIA. I am willing to give the dregs everything they ask for to enforce the law. That is what I am asking for.

Mr. BLANTON. Does the gentleman from Maryland want it?

Mr. LAGUARDIA. I say let us give these people a decent wage.

Mr. SNELL. As I understand it, these men who devote their entire time to the business in New York get more than \$3,500 a year.

Mr. LAGUARDIA. That is a mistake. We have deputy marshals in New York City getting only \$1,500 a year. They were recently increased \$5 a month.

Mr. SNELL. I think the chairman ought to be able to clear this matter up, because it is important.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. SNELL. Mr. Chairman, I ask that the gentleman may have additional time. I ask unanimous consent that he be allowed to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LAGUARDIA. I yield to the gentleman from Pennsylvania [Mr. SHREVE].

Mr. SHREVE. The facts in this situation are as follows: We have, all told, 902 men of this class. They are scattered all over the United States. Some of them are in the thickly populated districts such as that from which the gentleman from New York [Mr. LAGUARDIA] comes, and some are out on the prairies and scattered about widely. Now, there are men who do not earn this large amount of money that was allotted to them. There are others who might be classified at a little higher rate, perhaps, later on. Two of these deputies receive \$3,100 and 4 receive \$2,925, and 14 receive \$2,657, and 74 receive \$2,397, and so forth.

Mr. SNELL. Where do the special men in New York that we are talking about come in in connection with that list, if that is a fair question? I do not want to corner any man down.

Mr. SHREVE. We have these men classified—

Mr. SNELL. Yes; the gentleman from New York said they were working for \$1,500. I did not think that that was so, but I think it ought to be cleared up.

Mr. SHREVE. There is a large number, 396, at \$1,624, and then a smaller number, 50, in isolated parts of the United States where they receive only \$1,402.

Mr. SNELL. That may be enough for those fellows, but I do feel that in the congested centers of population the Federal Government ought not to ask a man to give his entire time to its service for \$1,500 a year. The statement has been made here repeatedly that that is what they are getting in the city of New York. It seems there should be some information somewhere that would tell us, so that there will be no further argument about it.

Mr. LAGUARDIA. There are 396 who are getting \$1,634.

Mr. SNELL. Where are they located?

Mr. SHREVE. These men are not located in New York.

Mr. LAGUARDIA. We have a larger number of \$1,600 men in New York City proportionately than you have anywhere else. The increase they have received has been only \$8 a month. You can not do anything with \$8 a month in New York City.

Mr. OLIVER of Alabama. Last year there was carried about \$78,000 in the deficiency bill for the purpose of enabling the Attorney General in his discretion to grant increases to deputies where he thought increases were needed. That bill failed. This year we not only carry that \$78,000 but an additional amount.

Mr. SNELL. That is, we never had it before?

Mr. OLIVER of Alabama. We add to it, so that we are now carrying \$100,000 more in order to grant increases where increases should be granted in the judgment of the Attorney General.

Mr. LAGUARDIA. I know the gentleman wants to be fair, but \$15,000 of the \$22,500 is for the increase of the salaries of the marshals, and only \$7,500 is to increase the salaries of \$04 deputy marshals. The increases contemplated last year include the rates of salaries which the gentleman from Pennsylvania [Mr. SHREVE] mentioned. I have here a letter from the Attorney General in which he states that the department would be glad to fix the compensation of deputies in accordance with my suggestion, but he adds that, as a matter of fact, the funds available will not permit it for the coming fiscal year. That letter was signed by Assistant Attorney General Marshall, who is in charge of United States and deputy marshals.

Mr. OLIVER of Alabama. I will say that the Attorney General before our committee had no suggestion to make in regard to this increase of salary.

Mr. MADDEN. Mr. Chairman, I rise in opposition to the amendment.

Mr. SNELL. Just one moment. How long would it take to get from the Department of Justice a statement as to what the deputy marshals in New York City get? I would like to have that complete.

Mr. MADDEN. Mr. Chairman, it is all very well to stand here and demand increased appropriations every day on every line of every bill. The Committee on Appropriations has stated all the facts in this particular case. They have presented the facts to you. We have given in the deficiency bill and in this bill \$100,000 for the particular service to which the gentleman from New York [Mr. LAGUARDIA] and others have just addressed themselves—more than they ever had before. There has been no demand from any source anywhere except such demands as the gentleman from New York makes on the floor for this increase. The administrative side of the Government has made no demand.

Mr. DYER. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. In a moment. No demand has been made. If they want more money, as a rule there is no reason why they should not ask for it. In the consideration of this problem we have realized that some little shortage may have existed, and we are carrying more in the bill than was requested by the Attorney General or by the Budget.

Just a few days ago the House voted almost unanimously to reduce taxes and to take away the revenue that the higher taxes would give to the Treasury for the payment of obligations such as these. I was one of those who voted against it. There is not any money with which to meet these increased obligations. You can assume the responsibility if you will, but if there is a deficit as a result of these increased demands, do not blame anyone but yourselves. Do not vote for every motion to increase the compensation of everybody irrespective of whether justice applies to the case or not. Keep the expenses within the revenues of the Government. Let the Nation stand by the record which it has made since the war. I appeal to every Member here to stand for an economical administration of national affairs by voting down every amendment that may be offered irrespective of whether it is just or not. I know there will be other amendments offered and I say in advance that they ought not to pass. [Applause.]

Mr. DYER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Missouri is recognized for five minutes.

Mr. DYER. Mr. Chairman and gentlemen of the committee, I have the greatest regard, as do all the Members of the House, for the subcommittee in charge of this bill, but there is a real necessity for increasing the salaries of some of the deputy marshals. I know it to be a fact not only from what has been stated here as to other places but because of conditions which exist in my own city, where we have deputy marshals who are giving their whole time to their work and who are receiving, some of them, less than \$1,600. I read the figures: Jennings, \$2,500; Kennedy, \$1,860; Morrissey, \$1,560; Elton, \$1,500; Hartstein, \$1,500; Puls, \$1,500; and Colgan, \$1,440, per annum. We have in our city, as in many of the great cities, most important duties for which our deputy marshals are called upon to do. Among them is the enforcement of the prohibition laws. There is a great temptation for graft in prohibition matters amongst the officials of the courts because of the low salaries paid. I have the greatest respect for the deputy marshals as a whole, and I know the deputy marshals in my district are thoroughly honest and upright, but to expect too much from a man who gives all of his time to the responsible duties which a marshal is called upon to perform on a salary of less than \$1,600 per year, where he can not obtain a decent place to live without paying at least \$50 a month, is entirely wrong. I think Congress itself made a mistake some years ago when it authorized the Attorney General to fix the salaries of United States attorneys and marshals, as well as their assistants, up to a certain amount. We should not have delegated to the Executive the power to do that which solely ought to rest upon the Congress itself.

The Department of Justice has not been equitable in the distribution of the salary increases throughout the country. I know that is so, especially from the report of the Attorney General for the last year. In my own State we have two districts. He is authorized by legislation to fix the salaries of the district attorneys and of the marshals up to a certain maximum.

His report shows that in one district the work is far below that of the other district in the prosecution of crime and in the money that is paid into the Government, yet we have him paying the district attorney in the western district \$1,000 a year more than he pays the attorney in the eastern district; and he pays the marshal in the western district \$500 more than he pays the marshal in the other district, yet the work in the eastern district is far ahead of the other district. So it is with deputy marshals and assistant United States attorneys. One of them at St. Louis receives as low as \$2,400 per annum. That is the

amount paid to an assistant United States attorney who gives all of his time to the work of the enforcement of the prohibition law. He is an able and an efficient lawyer, with a family. He is giving all of his time to the Government at \$200 per month. That is one of the results of putting into the hands of the Department of Justice the power to fix the salaries.

They say they have enough money to increase the pay, according to the statements of some gentlemen of the House; but they told me not so long ago that they can not increase the salaries of deputy marshals and deputy clerks in St. Louis or the salaries of assistant district attorneys in St. Louis because they have not enough money. When you give small pay to men engaged in the enforcement of law and the riddance of the community of crime and force incompetent men to be appointed or force men to live upon a meager salary you are wasting the people's money instead of saving it. [Applause.]

I believe, Mr. Chairman, the committee itself ought to cooperate and give the Department of Justice enough money so that the Attorney General can not say to the gentleman from New York, to others, and myself that they have not enough money to increase salaries so that men occupying these important positions can live comfortably and the department can pay a living wage to them. [Applause.]

The CHAIRMAN. The time of the gentleman from Missouri has expired. The question is on the amendment offered by the gentleman from New York.

The question was taken; and on a division (demanded by Mr. LAGUARDIA) there were—ayes 44, noes 73.

So the amendment was rejected.

The Clerk read as follows:

United States penitentiary, Leavenworth, Kans.: For the United States penitentiary at Leavenworth, Kans., including not to exceed \$270,000, for salaries and wages of all officers and employees, \$880,000.

Mr. GRIFFIN. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman and gentlemen—and ladies, I do not feel that we ought to allow this paragraph of the bill to perfunctorily pass without calling attention to the overcrowded conditions in the Federal prisons. We are appropriating \$880,000 for Leavenworth, \$852,500 for Atlanta, and \$332,500 for McNeil Island. Here is an annual outlay of over \$2,000,000, an apparently large sum, and it might seem that we are doing our full duty; but the blazing fact stands forth that these Federal penitentiaries are wholly inadequate. They are so disgracefully overcrowded as to be a menace to the health and morals, not only of the inmates, but of every community in the land to which released criminals return upon the conclusion of their imprisonment.

#### OVERCROWDING

On June 30, 1918, the population in the Federal penitentiaries was 4,482, which even then taxed their capacity. On June 30, 1927, the prison inmates had increased to 9,448. This is an increase of 4,966 within a period of nine years.

The capacity of Leavenworth is about 1,600. Its population, in November, 1927, when the superintendent gave his testimony before the committee, was 3,406. When our committee visited the institution in 1925, we found, even then, that men and boys were sleeping in an improvised, poorly lighted dormitory in the basement. In Atlanta, Ga., the capacity of the prison is about the same as that of Leavenworth—1,600. Its population in November, 1927, was 3,160, and the basement was also used as a dormitory. The only Federal prison that is at all equipped for the population which it maintains is McNeil Island. In Leavenworth and Atlanta prisons cells intended for one prisoner are improvised to hold two and three; those intended for three are rigged up temporarily to hold six. Halls and corridors are commandeered to accommodate prisoners in the most primitive fashion in disgraceful propinquity. And yet that goes on year after year—and Congress does nothing.

Mr. SHREVE. Will the gentleman yield?

Mr. GRIFFIN. Yes.

#### DUTY OF CONGRESS—PROVIDE MORE PRISONS

Mr. SHREVE. Does the gentleman recall that the committee of which we are both members, upon several occasions has recommended legislation touching upon these very questions? If so, I wish the gentleman would mention that.

Mr. GRIFFIN. Indeed, I do; and I am making this public statement now on the floor of this House in order that the membership may be acquainted with conditions and in order that the legislative committee, which I do not mean to reflect on in any sense whatever, may realize its importance. They may probably resent our intrusion upon their field—I do not know.

#### SEPARATE PRISON COLONIES FOR YOUTHFUL OFFENDERS

Nevertheless I want to make a recommendation, and it is one that is concurred in by the superintendent of prisons, namely,

that different types of prisoners ought to be separated and each type scrupulously segregated.

It is a disgrace to keep murderers, thieves, cutthroats, and degenerates in daily contact with those who are held for lesser offenses—many of whom are first offenders. In laying out a plan of construction, it is primarily essential, I submit to you, that exclusive prisons should be maintained for the worst offenders—those who have been in prison before, those who are guilty of crimes involving a high degree of moral turpitude; whereas young men who have fallen from grace for the first time ought to be segregated in separate farm colonies. They should not be confined in daily contact with hardened criminals, which the present meagre prison accommodations inevitably necessitate.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. GRIFFIN. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GRIFFIN. So much for the odious crimes, the crimes which are like a disease, contagious and demoralizing in their influence upon younger men who have fallen for the first time.

#### SEPARATE PRISONS FOR DRUG ADDICTS

There is another class of criminals who are also piled into these overcrowded institutions who ought not to be there. I refer to drug addicts and drug peddlers. They are now over-running all the prisons.

Just look at the figures of the increase in drug addicts in our Federal prisons since 1918. On June 30, 1918, there were 299 drug addicts and peddlers in the Federal penitentiaries. At the present moment there are 2,116. A jump in nine years of over 1,800. The problem has been: "What shall be done with them?" For want of better facilities they have been stuck in criminal institutions—a wholly unjust proceeding. They are not criminals, but only potentially so, in the sense that drug addiction is the foundation of many crimes.

The drug addict first loses his moral sense and then drops naturally into crime. Where you have in institutions like Leavenworth 600 or 700 drug addicts, just imagine the effect of the contact of those men with prisoners who have never known its use. It means an inevitable extension of the vice. We ought to have separate institutions for drug addicts, where they can be kindly treated and where the possibility of their dragging down others may be avoided.

#### ABOLISH "TRUSTIES"

My third recommendation—which will, perhaps, not be popular—is an increase of appropriation for guards and for employees of the prisons.

I think it is a mistake to employ criminals in duties connected with the administration of prisons. It is false economy. The custom that has grown up of taking prisoners by favor from their cells, sending them on errands outside of the prison walls, allowing them to cook for the keeper's table, to do work in the kitchen of the prison, and to give them generally free play. These men are called "trusties"—they ought to be abolished.

The dangerous part of such a policy is this: It is fundamentally un-American. It is unjust and it is unfair to other prisoners, because it leads to favoritism. We can easily visualize, for instance, the influence that is brought to bear upon the warden. He ought to be kept free from such influence.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. GRIFFIN. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GRIFFIN. These trusties are favorites of the warden and officers of the institution. They are given carte blanche. As I said, they drive the prison car, they go outside the walls to make purchases, they are in and out of the prison doors all day long every day of the week. What harm is there in that, you say, outside of the mere favoritism that is implied and the injustice to other prisoners? The harm is this, that that is one of the methods by which drugs are smuggled into the prison, and it leads to an increase of the drug habit in all institutions.

Mr. OLIVER of New York. Will the gentleman yield?

Mr. GRIFFIN. I will.

Mr. OLIVER of New York. Does it not violate the sentence of the court to a term of hard labor. Is it not almost a contempt of the court to use a man on the outside of the prison?

Mr. GRIFFIN. I am glad my colleague asked that question. My answer is yes it is in violation of the law and in contempt

of the sentence of the court. It is also in contempt of society.

This Congress in making the laws imposes the penalty, and this abuse violates the law and flouts the sentence imposed by the court.

Mr. OLIVER of Alabama. Will the gentleman yield?

Mr. GRIFFIN. I will.

Mr. OLIVER of Alabama. I am in hearty sympathy and I think the full committee is with the suggestion made by the gentleman from New York for a building for drug addicts. That is absolutely essential in view of the overpopulation of the prison; there is danger and unless the Judiciary Committee takes the matter up we may have serious consequences to follow.

But in so far as he criticizes the using of youths as trusties, the gentleman is challenging a custom that is 100 years old in every prison, State and Federal, likewise in every eleemosynary institution for the mentally weak. It is one method in testing in advance those for whom parole may be given. Likewise it is humanitarian because they like employment, and if there is one weakness in the prison system it is that they are not provided with adequate employment.

The gentleman from New York saw the farms and the dairy at Leavenworth, where they were sent, and that they went gladly that they might find something to do. You drive a person crazy, you destroy his health, unless you give him something to do. Many of them have been found generally trustworthy, and thereby earned the recommendation for parole.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. GRIFFIN. I ask for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GRIFFIN. My colleague, a member of the committee, I think has misapprehended the purport and the effect of my recommendation with respect to trusties. He weaves into a protest against overturning an ancient custom, the argument that it is essential to keep prisoners employed.

Of course, it is necessary to keep them employed; they ought to be, for the reason which he so well expresses, but are there no other ways to employ them except in avenues and in places and by giving them opportunities to do mischief such as this ancient custom has encouraged?

I am speaking by the card; I am speaking from personal knowledge. I know that drugs have gone and are going into prisons every day through the medium of the trusties. It is a bad custom, and even though it has been sanctioned for 100 years it is a bad custom. I do not mean to close the prisoners up; I would not lock them in a cell and put them on bread and water, as my friend from Alabama would imply. I am as much concerned as he to see that they are kept at work, but I do insist that if a man is sent to jail as a criminal he ought to be in jail and remain in jail. He ought always to have the consciousness that he was sent there by society for an infraction of its laws.

There are other ways of being kind to prisoners without taking them out of the prison, to the discouragement of other men locked up in cells, and have them loiter around the warden's house fixing up his garden, cooking his meals, driving his auto, and running errands into town. It is a positive scandal and a menace to proper prison administration. It ought to be abolished, notwithstanding it may have had the sanction of 100 years. The very essence of punitive law is justice. Any departure from equity in the treatment of prisoners can not help but have an unfavorable reaction on their minds. If they see that some of their number, by reason of political pull, bribery, or social influence, are given wide liberty as trusties, the routine labor and restraint of confinement becomes irksome; and they carry with them, when they go beyond the prison walls, a deep resentment and sense of hopelessness which make them an easy prey to their old associates. Thus they become second and third offenders.

#### ALL PRISONERS SHOULD HAVE WORK TO DO

If we should abolish the "trustee system," it does not follow that they would be kept in idleness. The fact that there is not enough work to go around now is our fault. We should not be stumped by that; we should provide work for all. The hearings on this bill disclose the fact that that is the great problem which the wardens have to meet. That they are doing it as well as can be expected is not to be denied, and even their use of trusties can be excused under the present system. The fault is not with the wardens of the jails but with the system, and it is the "system" which cries aloud for change. We ought to provide an adequate number of prisons—segregating and separating prisoners, as I suggested—and we—

mean Congress—should provide such facilities as will enable every prisoner to be usefully employed; but never, under any circumstances, should they be assigned to pet positions that discriminate against other prisoners and which make them feel that they are on vacation.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

Federation Industrial Institution for Women, Alderson, W. Va.: For the Federal Industrial Institution for Women at Alderson, W. Va., including not to exceed \$90,000 for salaries and wages of all officers and employees, \$260,000.

Mr. HUGHES. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. HUGHES: Page 43, line 8, strike out the word "Federation" and insert in lieu thereof the word "Federal." On line 11 strike out the figures "\$90,000" and insert "\$100,000," and in line 12 strike out the figures "\$260,000" and insert "\$270,000."

Mr. HUGHES. Mr. Chairman, for the information of the committee I would say that the striking out of the word "Federation" and inserting the word "Federal" is merely correcting a typographical error.

The total increase on this appropriation will be \$10,000. If this appropriation remains at the present amount, this institution can take care of only 150 people. With this small addition of \$10,000 it will enable them to take care of 300 people. All of the buildings at this institution will be finished by the latter part of May. This appropriation will not begin until July 1. This information has come to the subcommittee, and I am satisfied that they will recommend to the House the adoption of this amendment.

Mr. SHREVE. Mr. Chairman, at the time we considered this appropriation Miss Harris, who is the very able superintendent of the institution, was not able to appear before the committee. With the information we had at that time we felt that we could make a cut of \$10,000 under the estimate made by the Bureau of the Budget. However, upon more mature consideration and having talked with Miss Harris and heard from the distinguished gentleman from West Virginia [Mr. HUGHES], we decided to accept the amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from West Virginia.

The amendment was agreed to.

The Clerk read as follows:

Probation system, United States courts: For salaries and actual expenses of probation officers, as provided by section 3 of the act entitled "An act to provide for the establishment of a probation system in the United States courts, except in the District of Columbia," approved March 4, 1925, \$25,000.

Mr. WOODRUM. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. WOODRUM: Page 47, line 4, after the figures "1925," strike out "\$25,000" and insert in lieu thereof "\$50,000."

Mr. WOODRUM. Mr. Chairman, ladies and gentlemen of the committee, in March, 1925, in the closing hours, I think, of the Sixty-eighth Congress, the House passed a bill under suspension of the rules virtually without consideration of the merits, providing for the establishment of a probation system in the United States courts. I opposed the passage of the bill for reasons that I thought sufficient at the time, but I was one of a very small minority who took that position, and the bill was passed virtually unanimously by the House. That law has been in operation now since March, 1925, and gives very broad authority and latitude to the Federal judges in the matter of suspending sentences of persons convicted of crimes in the Federal courts, and further provides for the appointment of probation officers. I have offered this amendment which, on the face of it, doubles the appropriation which the committee brought in for this work. As a matter of fact, however, it only carries the appropriation up to the amount that was appropriated in the first bill. We first appropriated for this very important work, \$50,000. That was the amount deemed advisable to provide for the probation system in the Federal courts. In the last Congress that amount was cut to \$30,000, and in this Congress it is proposed to cut it to \$25,000. I fear that in the next Congress it will be cut to \$10,000, and in the next eliminated altogether, thereby bringing about the condition that I very much feared

would happen when we passed the legislation, to wit, giving a broad power of suspended sentence to Federal judges, with absolutely no supervising control or supervision over the men who are allowed to go at large after having violated the law.

We have listened with great interest to-day to the gentleman from New York [Mr. GRIFFIN], who has given us the figures on the very crowded condition of the penal institutions in America. I have some figures that I shall put into the RECORD to-day, which show the manner in which this probation system has worked, at least in one Federal jurisdiction in the United States. I speak of the southern jurisdiction of West Virginia, not a jurisdiction in my district, but represented here by the distinguished gentleman from West Virginia, Judge STROTHER, who is away on account of sickness. I feel sure that if he were here he would be glad to put these figures into the RECORD. In that district, since this law was passed by Congress, March 4, 1925, to June 1, 1927, a period of a little over two years, the Federal court paroled 1,690 offenders. That period that I have mentioned of a little over two years was a period from March, 1925, to June, 1927, and during that period he had no probation officer. One thousand six hundred and ninety prisoners were given suspended sentence under the provisions of this law. Only 145 of those violated their parole or were ever called to account again for violating the confidence that had been reposed in them by the court.

Mr. GRIFFIN. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM. Yes.

Mr. GRIFFIN. Were not those prisoners largely mine strikers?

Mr. WOODRUM. Not at all. I will put the detailed statement of the cases into the RECORD. The large majority of those were prohibition cases, many of them first offenders.

Mr. GRIFFIN. I asked in regard to mine strikers.

Mr. WOODRUM. There were very few mine cases.

Mr. LAGUARDIA. They would not be in the Federal court.

Mr. WOODRUM. No. The majority of them were prohibition cases, some of them first offenders. Two hundred and nine of them were women. The judge there is a very conscientious man, trying hard to enforce the law. He put those people out on probation. During that period he had no probation officer to go around and supervise them or try to rehabilitate them or bring them back into society as law-abiding and self-respecting citizens. Yet without that supervision only 145 of them were ever heard of again in the matter of violating any law. In June, 1927, he asked the Department of Justice for a probation officer, and he was given to him, certified by the Civil Service Commission—a splendid, fine young man, to take charge of probation work, and from June, 1927, to January 1, 1928, there were 397 cases in that judicial district, composed of 24 counties.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. WOODRUM. Mr. Chairman, I ask for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. WOODRUM. During that period there were 397 people put out on probation in the hands of this probation officer, and only 4 were ever brought before the court for committal.

Now, gentlemen, I do not know how that impresses you, but coming as it does right on the heels of this remarkable statement by our chairman about the penal institutions being crowded, I bring you knowledge and information as to where the prisons can be relieved of some of this crowd. In the case of these several hundreds of prisoners put out on probation and helped back to decency, the Government has been saved the space required to house them and the expense of guarding them and boarding them. But more important than all that is the fact that those prisoners were brought back to society as law-abiding and self-respecting citizens. This group of citizens were taken out of the column of liabilities and put into the column of assets in the records of society. Now, unless we are going to give to the Federal courts sufficient funds to enable courts to have competent probation officers to help these men going on probation to secure employment and provide for themselves, and do everything they can possibly do to put them on a self-sustaining and law-abiding basis, the greatest benefit of the probation system will be lost. We ought to provide the funds.

This jurisdiction that has produced this remarkable result gets \$2,900 a year from the Department of Justice for its pro-

bation work. Twenty-four hundred dollars of that fund is used in the salary of the probation officer, \$200 a month; he gets as an expense account \$500, or \$125 each quarter. He must attend the court wherever it meets and must supervise the conduct of these men in 24 separate counties. He got that amount last year under our appropriation of \$30,000. If you reduce it to \$25,000, that will reduce the portion going to this district to about \$2,500. I submit that Congress ought to back up the courts in their effort to save these men and rehabilitate them and put them back to society as self-respecting citizens. I simply offer this amendment to restore the amount to \$50,000, the amount estimated for this important work.

Before I take my seat, Mr. Chairman, I would like to ask unanimous consent to include in my remarks a letter from George W. McClintic and a letter from the probation officer, and a short statistical report.

The CHAIRMAN. Is there objection?

There was no objection.

The following are the papers referred to:

CHARLESTON, W. VA., December 27, 1927.

HON. GEORGE W. McCLINTIC,  
Judge United States District Court,  
Southern District of West Virginia, Charleston, W. Va.

DEAR SIR: Submitted herewith is a statistical report of probation for the southern district of West Virginia from March 4, 1925, to January 1, 1928.

The statistics from March 4, 1925, to June 1, 1927, were taken from the court records and other available sources, consequently a study over that period could not be made. From June 1, 1927, to January 1, 1928, a rather close study of probation as applied in this district has been made.

I wish to cite your attention to the following, taken from the statistical report:

From March 4, 1925, to January 1, 1927, there have been 1,481 men and 209 women placed on probation, making a total of 1,690. Out of this number, only 145 have been committed for violation of probation, 134 men and 11 women. Basing these figures on percentage, the following is shown: 9.05 per cent of men and 5.3 per cent of women have been committed for violation of probation, or 8.58 per cent of the whole number placed on probation.

Out of 397 persons placed on probation since June 1, 1927, only four men and no women have been committed. Two of the four violated their probation the same day they were placed on probation, one within 10 days, and one within 30 days.

You will note that this report is divided into two parts, as follows: March 4, 1925, to June 1, 1927, and from June 1, 1927, to January 1, 1928. This division was made in order that an accurate account of probation under the supervision could be followed up in the future.

It is encouraging to the probation officer to note that probation in this district could be made tremendously valuable to the Federal Government, the State, and public at large, even as much so as to the lawbreaker, which advantage has already been definitely proven.

The probation officer has made several observations which would be of very material aid to the success of probation in this district if they could be worked out, namely, a larger expense allowance, stenographer, and an auto. If these three assets could be realized, the probation office would have an opportunity to get out of the office and organize the work in the field. As your honor knows, the success of probation lies in its enforcement and in personal contact and supervision of the homes of the probationers. It is hoped that in course of time these visions may become a reality.

I wish, above all, to express my thanks and appreciation to your honor for the kindness and cooperation given me at all times. This has been of great help to me.

Respectfully submitted.

JOHN W. BOLICK,  
United States Probation Officer.

CHARLESTON, W. VA., January 4, 1928.

HON. CLIFTON A. WOODRUM,  
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: I inclose herewith a report of the activities of the probation department of my court.

It shows the number placed on probation in the years 1925, 1926, and 1927.

It also shows the number who have since been tried and committed, and the number that are still on probation.

I also inclose a copy of a letter of the probation officer which sets out the situation a little more fully.

What we lack is more supervision, and we can only get this if we get a larger appropriation. There was only appropriated last year

\$30,000 for the United States. I am informed that the Budget recommendation carries that amount for this year.

This district gets \$2,400 salary for one paid probation officer and he has \$500 for his expenses. This is divided into quarterly payments of \$125 each. His home is here in Charleston, but he has to attend court in Huntington and attend court in Bluefield, and if court is held at Williamson, Lewisburg, or Webster Springs he will have to attend there. This eats up, practically speaking, all the expense money. He has no opportunity of going into the 24 counties of this district outside of those where court is held, and build up an organization and get local probation officers to act. These local men can not be paid, but they are entitled to their expenses.

You will note from the copy of the letter of Mr. Bolick that he would like to have a stenographer and an automobile. One must appreciate that the correspondence in connection with his work is very large, and he tries to keep in touch thereby with all these people, but it is a physical impossibility to do more than so much. However, I think that the Government could easily amend its statute so that the probation officer could be like a prohibition officer; that is, get one of the confiscated automobiles. I notice in the morning paper an advertisement by the marshal of 35 confiscated automobiles, and I would certainly like to see the probation law amended so that the probation officer can get one in the same way that prohibition agents now get them—that is, by an order of court, setting aside some confiscated automobile for the use of the probation officer.

We will forget the stenographer part just now, and hope that a larger appropriation can be made for expenses. If you could get that, with the increase of the hard roads, the probation officer could travel over these 24 counties and visit a great many of the individuals whom it is now impossible to see.

I know that you will appreciate the fact that of this large number on probation there would be an average of three to four hundred of them in jail if it were not for the probation law. This would entail an expense of probably not less than \$300 a day for the keep of the prisoners, which money would have to be paid by the United States. It would also require the counties to expend greater or less sums in keeping the families of those that are in jail.

Taking the average of \$300 a day saved, you will readily see that it makes \$9,000 a month, and certainly the Government could afford to appropriate \$500 a month for probation work in this district. The probation—leaving out of view the good thing of trying to make better citizens—is an actual big money saver for the Government, but it will require the expenditure of some money to make the system any sort of a success.

The paid probation officer came here from Richmond, Va., where he had had experience in probation work. He was certified to me from the civil-service department, and I appointed him. He should have an increase in salary of at least \$300 a month, but we really need the expense money at this time more strongly than we need this increase in salary.

If anything occurs to you after going over these papers, and you need any additional information, I will be glad to furnish it if it is in my power.

With kindest personal regards, I am,

Yours very truly,

GEORGE W. McCLINTIC,  
District Judge.

UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF WEST VIRGINIA—  
STATISTICAL REPORT OF PROBATION, MARCH 4, 1925, TO JANUARY 1, 1928  
The statistical report of probationers for 1925, beginning with March 4, date of probation act

	Men	Women	Total
Probated from Mar. 4, 1925, to Jan. 1, 1926.....	448	70	518
Probation cases ended:			
Committed.....	19		
Probation expired.....	2	1	
	21	1	22
Remaining on probation Jan. 1, 1926.....	427	69	496
Probated for violation:			
National prohibition act.....	421	66	
Drug law—use.....	11	4	
Postal law—			
(a) Theft.....	1		
(b) Using mails to defraud.....	2		
Interstate commerce law—theft.....	1		
Motor vehicle theft act.....	8		
Counterfeiting.....	2		
Bribery.....	2		
	448	70	518

The statistical report of probationers for 1926

	Men	Women	Total
On probation Jan. 1, 1926.....	427	69	496
Probated, 1926.....	477	46	523
	904	115	1,019
Probation cases ended:			
Committed.....	56	1	
Probation expired.....	68	9	
Died.....	2	1	
Released by court.....	1		
	127	11	138
Remaining on probation Jan. 1, 1927.....	777	104	881
Probated for violation—			
National prohibition act.....	450	42	
Drug law—			
(a) Traffic.....	2		
(b) Use.....	4	2	
Postal law—			
(a) Theft.....	4	1	
(b) Using mails to defraud.....	4	1	
(c) Obscene literature.....	1		
Motor vehicle theft act.....	3		
Mann Act.....	2		
Counterfeiting.....	2		
Bankruptcy.....	1		
Theft, Government property.....	1		
Farm loan act.....	1		
War risk insurance act.....	1		
World War veterans' act.....	1		
	477	46	523

The statistical report of probationers for 1927, up to June 1

	Men	Women	Total
On probation Jan. 1, 1927.....	777	104	881
Probated to June 1.....	218	34	252
	995	138	1,133
Probation cases ended:			
Committed.....	23	3	
Probation expired.....	85	27	
Died.....	1		
	109	30	139
Remaining on probation June 1, 1927.....	886	108	994
Probated for violation—			
National prohibition act.....	203	33	
Drug law, use.....	4		
Postal law—			
(a) Theft.....	3		
(b) Using mails to defraud.....		1	
(c) Obscene literature.....	1		
Motor vehicle theft act.....	4		
Mann Act.....	2		
Counterfeiting.....	1		
	218	34	252

This brings the probation statistics up to June 1, 1927, the date the probation officer was appointed and took charge of the work.

The statistical report of probationers from June 1, 1927, to January 1, 1928

	Men	Women	Total
On probation June 1, 1927.....	886	108	994
Probated:			
June.....	20	6	
July.....	2		
August.....	4		
September.....	78	13	
October.....	14	1	
November.....	207	38	
December.....	13	1	397
	338	59	
	1,224	167	1,391
Probation cases ended from June 1, 1927, to January 1, 1928:			
Committed.....	36	7	
Probation expired.....	34	8	
Died.....	2		
	72	15	87
Remaining on probation Jan. 1, 1928.....	1,152	152	1,304

Probated from June 1, 1927, to January 1, 1928

	Men	Women	Total
For violation—			
National prohibition act.....	315	53	
Drug law—			
(a) Traffic.....	4		
(b) Use.....	1		
Postal law—			
(a) Theft.....	6	2	
(b) Using mails to defraud.....	1	1	
(c) Obscene literature.....	1		
Interstate commerce law—			
(a) Theft.....	2		
(b) Other.....	2		
Motor vehicle theft act.....	1	1	
Mann Act.....	1		
Counterfeiting.....	1		
Theft Government property.....	1		
World War veterans' act.....	2		
Aiding prisoner to escape.....		1	
	338	59	397

RECAPITULATION

	Men	Women	Total
On probation, 1925.....	448	70	518
On probation, 1926.....	477	46	523
On probation, 1927 up to June 1.....	218	34	252
On probation from June 1, 1927 to Jan. 1, 1928.....	338	59	397
Total.....	1,481	209	1,690
Probated for violation—			
National prohibition act.....	1,389	194	
Drug law:			
(a) Traffic.....	6		
(b) Use.....	20	6	
Postal law—			
(a) Theft.....	14	3	
(b) Using mails to defraud.....	7	3	
(c) Obscene literature.....	3		
Interstate commerce law:			
(a) Theft.....	3		
(b) Other.....	2		
Motor vehicle theft act.....	16	1	
Mann Act.....	5	1	
Counterfeiting.....	6		
Bankruptcy.....	1		
Farm loan act.....	1		
War risk insurance act.....	1		
World War veterans' act.....	3		
Bribery.....	2		
Theft Government property.....	2		
Aiding prisoner to escape.....		1	
	1,481	209	1,690

	Men				Women		
	Committed	Probation expired	Died	Released by court	Committed	Probation expired	Died
1925.....	19	2	0	0	0	1	0
1926.....	56	68	2	1	1	9	1
Up to June 1, 1927.....	23	85	1	0	3	27	0
June 1, 1927, to Jan. 1, 1928.....	36	34	2	0	7	8	0
	134	189	5	1	11	45	1

Total cases ended, men..... 329  
 Total cases ended, women..... 57  
 Total, in all..... 386

Mr. SHREVE. Mr. Chairman, in reply to the very eloquent address made by the gentleman from Virginia [Mr. WOODRUM], I will say that the system is not popular among the judges. We were surprised a year ago, when we wrote to the judges of the United States, to find that very few of them were well impressed with the system. Some of them have their own systems. I know of one case where a retired street-car man has served as a probationary agent, and he is able to contribute from his own pocket several thousand dollars a year to the support of those boys. All over the country you find those generous-minded people.

I want first to let you know what the superintendent of prisons has to say about it himself. Here is what he says to the question propounded by the chairman, "Do you know how many appointments have been made?"

The answer was:

Mr. CONNER. Yes, sir; three. There have been 10 districts where salaries have been approved and where the judges wanted the probation officers. The Civil Service Commission held examinations by civil-service districts, and the judges did not want to appoint probation officers from outside of their judicial districts. So there are seven of them who have made no appointments. Three of them have made appointments, these being the southern West Virginia district, the southern New York district, and Massachusetts. The other seven authorized have not as yet made appointments. I expect they will do so soon, because the Civil Service Commission has now held examination by judicial districts and the eligible lists will be available shortly for the selection of probation officers.

Only 10 in the whole United States.

Now, I leave it to the committee to say if we have not already appropriated enough money to carry them through another year under the prevailing circumstances. The committee reduced the estimates of the Budget only \$20,000. We cut it down to conform to the facts of the case, to \$25,000, and I think it should stand there.

Mr. WOODRUM. I understand, then, that the appropriation of \$25,000 for this work will not necessarily curtail the probationary work already being done?

Mr. SHREVE. I think not.

Mr. WOODRUM. The gentleman understands that this same jurisdiction will have at least the same amount they had in the past?

Mr. SHREVE. I think so. That is a matter that is entirely in the hands of the department.

Mr. WOODRUM. In other words, they have the funds if they want to do it?

Mr. SHREVE. Yes.

Mr. OLIVER of New York. Mr. Chairman, the statement made by the gentleman from Pennsylvania [Mr. SHREVE] amazed me very much, that the judges themselves oppose the appointment of probation officers. I have had considerable experience with the probation service in the city of New York, and I find there that the judges who have had large experience with it are the most enthusiastic backers of it. The reactionary tendencies of the Federal court judges is what astonishes me now.

Mr. SHREVE. The gentleman refers to the appointment of probation officers. He did not refer to paid officers. There is a distinction between the two. The United States Government pays the officers, but there are many men who do not receive any compensation at all.

Mr. OLIVER of New York. I will say as to both of the cases that there should not be any opposition of any character. There should be no objection to paying a man and making his work a responsible work under the court, to make it possible for a judge to discharge him if he violates the duties imposed upon him. He should continue in office for a long time and know his job. To my mind, that is the essential thing in the probation system. We can get a lot of officers to come in and spend what time they can spare in this service, but we will never get anywhere by that means. This voluntary service in New York is only auxiliary to the paid service. The paid service is the most important thing. It is all important to have trained men and women who give every hour of their time to the work, who consult with the judge, who are a part of the court. I do not see how a judge can sentence a man until he first has had the investigation of the probation officer. The old hit-and-miss impressionistic system of imposing the penalties of the law is an outrage. The probation officer goes out and outlines the life of the defendant in the most complete report and gives the judge the basis upon which he can fix his sentence. The judges ought to welcome that. To sentence a man by mere guesswork is to take a fearful responsibility.

The penalty of the law is pretty nearly the whole law on the criminal end of the game and penalties should not be imposed as they are imposed by some judges.

A defendant will be brought in, and the judge, looking down from his throne, will say to himself:

"I know this type of fellow. I'll teach this rough-looking specimen a lesson."

Then he imposes a sentence in that egotistical spirit. I thought that that method had passed away. Probation was devised to destroy it. When a penalty is imposed in that way you have tyranny.

The probation officer, to my mind, is the greatest aid to the judge in making an intelligent sentence. The first thing a probation officer does is to give information to the judge as to who the defendant is. He is not a man who solicits men to go on

probation. He tells the judge when a man ought to go to jail, and he tells the judge the kind of a man who ought never to go on probation. It shocks me to think that some judges are dealing in a haphazard way with the probation system, where the soul of the court is involved.

The gentleman from Pennsylvania [Mr. SHREVE] says the judges appoint volunteers. I have a great respect for volunteers. But they are not a group with official responsibility. Too many of them play at probation. It is a fad with them. The most important moment in the life of a defendant is when he stands before the court for sentence. It may be the turning point between redemption and destruction. It is no time for piecework service of volunteers. When the Congress of the country has determined that the work shall be in the hands of paid officials, the judges should obey the law and appoint the men. Yet they have not done so. We passed the law and gave them the money. Some judges think that laws are not made for them to obey. Congress is progressive. The courts defy our laws. Many judges are reactionary little monarchs. We ought to have volunteer judges and try that out for a while.

It is a well-recognized fact among people who are not suffering from crippled intellects that probation officers should be selected because of education, character, and zeal for social service. Schools of sociology have sprung up all over the country to train men and women for this service. Courses in colleges are open to them. They must pass severe tests to enter the service of the State courts. In the face of this great educational effort we hear of Federal judges resisting the chance to secure the service of these highly trained people. They still hold to the old, bungling, irresponsible system of appointing good-hearted volunteers.

I have seen the work of privately paid volunteers. They are people who are connected with hospitals, with charitable organizations, and institutions of that character. They help the probation officer put the man on his feet after he has been put on probation. They render a marvelous service. But the probation officer is the man who makes recommendations to the judge as to the sentence. He is the man who tells the judge all about the man—where he came from, what he is capable of doing, and what his home problems are. Only a responsible and paid officer can render that aid to a judge in a responsible way.

I say it is a discredit to the bench that they have not seen to it that these probation officers are appointed and appointed promptly, and a great many of them. We find in New York City that one probation officer can handle about 50 men at a time, and that is all, and if in your Federal court service you are only going to appoint three men in the United States your probation system is a collapse. It is a failure. I feel discouraged when I learn that such a magnificent system is not receiving better support.

Mr. CELLER. Will the gentleman yield?

Mr. OLIVER of New York. Yes.

Mr. CELLER. The gentleman probably knows, as I well know, that in the United States Court for the Southern District of New York there are six Federal judges and there is only one probation officer.

Mr. OLIVER of New York. Yes; and he is a very fine man. Mr. George Daly is a capable officer, honorable and intelligent. He should have a staff of men.

Mr. CELLER. He has to take care of thousands of men.

Mr. OLIVER of New York. I know Mr. Daly. He is a very experienced, very able, and very conscientious man, and with thousands of prisoners to handle, his work must be almost impossible. Anyone who knows probation knows that. I am speaking not so much against the recommendations of the committee but against the courts themselves because of the attitude they seem to assume with reference to this probation system.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. OLIVER of New York. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent to proceed for five additional minutes. Is there objection?

There was no objection.

Mr. OLIVER of New York. When a man is put on probation he receives the full mercy of the court. It is not a pardon, but it is a punishment without walls. The mercy of the court ought not to be flouted; it ought to be safeguarded because it is the most precious power the court has for the redemption of a human being who has gone wrong. When a probation officer has a man put on probation he notes his conduct and

the mercy of the court is safeguarded by the observation of a responsible man. I do not know of anything we ought to safeguard more precious than the mercy of the court. We do not want it wasted and disrespected. We do not want judges to become hard-hearted and chilled by a violation of the terms under which they grant mercy without having that violation reported promptly. Therefore we ought to have these men to check up on what men under probation do with the mercy of the court. They ought to prove themselves worthy of that mercy through every hour that they are on probation, and then, indeed, we will find that we can trust hundreds who are now thrown into jail. To thrust a young fellow into jail for his first offense is a crime, unless the crime is so repugnant that it is impossible to find anything good in the fellow which would call for putting him on probation. That is the intent of probation, to encourage him and to lift him up.

In the Bronx our two great judges know the value of probation. The reports they receive are the last word in the science of probation. They would not think of sending a man to prison or putting him on probation until they had gathered through their probation service every item of knowledge that it was possible to procure. Let the Federal judges learn from Judge Cohn and Judge Barrett how to sentence men strongly, intelligently, justly, and mercifully. The Federal judges ought to go to a school presided over by these two men.

One of the greatest judges in New York, Judge McAdoo, together with another remarkable judge, Judge Brough, direct probation in the magistrate's court in New York. I have seen them night after night bring in these people who were on probation. The probation officer would make his report and they would consider every problem. They would attempt to see that a man on probation had work, that his children were given hospitalization, and they would render all kinds of encouragement, so that those on probation would have every incentive to lift themselves up. They have established a probation court where all of the problems of the men on probation are handled. No man is discharged from probation without a review of his record by this court. Chief Probation Officer Cooley, who is a leader of probation in New York, is entitled to high praise for his great work.

I have seen probation rise up until it is a civic religion and a glorious achievement in the spirituality of the Government, and I want to see probation in the Federal courts lifted up in the same way.

Mr. ROBSION of Kentucky. Will the gentleman yield?

Mr. OLIVER of New York. Yes.

Mr. ROBSION of Kentucky. I was wondering whether the gentleman had in mind the probation of William Hickman in California?

Mr. OLIVER of New York. Oh, I am not talking about such men as William Hickman in California. Very often even Congressmen elected to this body, which is supposed to be selected from the most perfect human beings in the United States, prove to be defectives. We have people on probation who should be in jail, and people in jail who should be on probation. When you build a real probation system that will end. The question for the gentleman to answer is whether he is in favor of mercy and fair treatment to boys and young first offenders or not. When he answers that question I will know whether he favors probation or not.

Mr. ROBSION of Kentucky. What is in the gentleman's mind is this: That I think there is too much coddling of criminals in this country and that that has brought about the situation we have to-day.

Mr. OLIVER of New York. This is not coddling of criminals. The probation service, if the gentleman knows anything about it, first helps to select the man who should go to jail and at the same time it also helps to select the man who should not go to jail. The man who should go to jail goes to jail under the report of the probation officer; and the man who should not be let out on trial and is observed while he is out, and is sent back the minute he breaks the terms of his probation.

Mr. WELLER. Will the gentleman yield?

Mr. OLIVER of New York. Yes.

Mr. WELLER. Is it not a fact that, under the various probation systems in the United States, probation does not extend to those convicted of the crime of murder?

Mr. OLIVER of New York. It does not, although I think in Massachusetts at one time they did put somebody on probation who had committed murder.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. Woodrum].

The amendment was rejected.

Mr. BOYLAN. Mr. Chairman, I move to strike out the last word.

Yesterday I asked the chairman of the Immigration Committee to withdraw his charge that Governor Smith was protecting alien criminals so that, as he said, they might remain here, be naturalized, and vote the Tammany ticket. It is absolutely without foundation in fact, and the complete facts as established in correspondence between Governor Smith and Secretary of Labor Davis show there was no justification for such a statement.

The gentleman making the attack on the dignity and decency of a whole State withheld information that is due the Members of the House. He withheld the fact that the Solicitor General of the Labor Department, when asked to rule on Governor Smith's position, found the latter was completely right in his contention. The Department of Labor admits that new law is needed to correct the situation; their solicitor general rules that the existing method of deporting alien criminals must be overhauled, that it has been illegal. And yet the Immigration Committee chairman not only withholds this information, but refuses to expunge his remarks from the Record in the face of these facts.

Here are the facts: The Labor Department insists that the States must turn over alien criminals as they leave the penitentiaries, so that they can be deported. In some cases, of course, where such aliens are liable to deportation, this is done by every State in the Union. But many prisoners are often let out on parole. They may later be pardoned by the pardon board. During that parole period they are under the jurisdiction of the State. The State owes it to its own dignity and protection to keep them under surveillance. If deported immediately upon the end of their sentence, they are deprived of a chance of pardon and restoration of citizenship. They are deprived of due process of law.

It is this class which the State of New York will not give up to the Federal Government with undue haste. Mind you, the Federal Government is receiving New York's cooperation with regard to men clearly liable to deportation. There is no dispute about that. And the other class—the paroled prisoners—can be deported if no pardon is granted during the period of parole.

Now, why is the Federal Government—and the chairman of the Immigration Committee—complaining? Merely because the Budget Bureau will not grant the Labor Department sufficient funds to find men who ought to be deported. They can always be picked up after they have left the prison and expiration of the parole period has terminated the State's jurisdiction. But the Budget Bureau will not give the Labor Department enough money to carry out the provisions of the immigration law.

And in their anger at the Budget Bureau, and their partisan rage, they seek to throw the burden of responsibility in this situation on Governor Smith. If money is what they need to enforce the law, and if they can not get enough to enforce it, the blame lies with the present administration and nobody else.

The gentleman also made the statement that a supreme court judge, sitting in the county of the Bronx, city of New York, had naturalized 10,000 applicants in one day. I called the attention of the House to the fact that this was a physical impossibility. I have just received a telegram from Robert L. Moran, county clerk of Bronx County, embraced in New York City, addressed to me:

DEAR CONGRESSMAN: So that you may convey to Congressman JOHNSON of Washington the facts regarding naturalization in Bronx County, permit me to inform you that about 10,000 applicants will be heard during the month of January, beginning the 5th and ending January 31.

The chairman of the Immigration Committee tried to give the impression these 10,000 men would be heard in one day.

Court hearings start at 9.45 a. m. until 4 p. m. The record is as follows: January 5, 385; January 6, 373; January 9, 376. Total for three days, 1,134.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BOYLAN. Mr. Chairman, I ask unanimous consent to proceed for another minute in order to finish the reading of this telegram.

Mr. CLARKE. Will the gentleman make it two minutes in order that I may ask a question?

Mr. CELLER. I hope the gentleman will make it three minutes, because I want to ask a question also.

The CHAIRMAN. Without objection, the gentleman is recognized for three additional minutes.

There was no objection.

Mr. BOYLAN (continuing):

Fifteen employees of my office, two Federal examiners, and five court officers are handling applicants. All applicants have followed every

provision of law and Federal examiners are in attendance with Government reports in each case. All must read and write English, and their good reputation testified to by two representative citizens who appear in court and have known them for more than five years.

ROBERT L. MORAN, *County Clerk.*

This disposes of the contention of the gentleman that 10,000 men were going to be naturalized in one day.

I am now ready to answer any questions.

Mr. CLARKE. Does not the gentleman think the routine of naturalization could be raised out of the dull monotony in which it is now by having, say, four particular days of each year devoted to conferring citizenship upon these men and at such times have the people who are to become naturalized gathered together in certain convenient places and give some dignity to the distinction that is to be conferred upon them? Does not the gentleman think this would be very helpful?

Mr. BOYLAN. I think it would be, and in a measure, we carry that out in New York. I will say to the gentleman that the county clerk of New York County up to within a few years ago received an appropriation or permission to use money appropriated by Congress whereby he could assist the Federal judges in preparing papers, and so forth; but this body in its wisdom has taken away this fund. It did not amount to very much. I think it was \$15,000 or \$20,000 a year. This was taken away from our county clerk in New York County, and therefore this great congestion in the Federal courts resulted.

Mr. CELLER. Would it not be much better if jurisdiction to confer citizenship upon aliens in New York County and Kings County were in the hands of the State as well as the Federal judges? In other words, there are 28 judges in New York County and 18 in Kings County, and in conjunction with the United States judges they could easily handle all these naturalization cases and there would not be this crowding or congestion that some complain of, particularly the chairman of the Committee on Immigration, where there may be as many as 200 or 250 naturalized in one day.

Mr. BOYLAN. In answer to the question of the gentleman from New York, I will say yes. I agree with the gentleman, just as I stated to my distinguished friend from New York [Mr. CLARKE]. This could be done if Congress would authorize a fund to be used by the county clerks for clerk hire and for the preparing of papers, and so forth. This should be done. I never could understand why we withdrew this support from the county clerks, because they are perfectly willing to take on the work. We have judges in the Supreme Court of New York where the term commences at 10 o'clock in the morning ordinarily, and in these naturalization cases in the Bronx, where they are now sitting, they have appeared in court as early as 8 o'clock in the morning in order to take up these cases before the regular term commences. This shows that if the Congress would give an appropriation to the county clerks every one of our supreme court judges would be willing to give part of his time, outside of the regular court hours, to the naturalization of citizens and help the work of the Federal courts.

Mr. LAGUARDIA. Mr. Chairman, while we are on the subject of correcting statements I want to say that the chairman of the Committee on Immigration, yesterday referred to a judge who is working hard and diligently to make good, loyal Americans as a judge who seems "to wear alien spectacles."

That statement is absolutely unfair and most unworthy of the chairman of the Committee on Immigration. It so happens that this judge's name happens to end with a vowel, and if any one is so narrow minded and so bigoted as to take that into consideration no attention should be paid to his statement.

Judge Salvatore Cotillo is a judge of the Supreme Court of the State of New York, the court of the highest and unlimited jurisdiction in our State. He has been interested in Americanization work in this country for many years. Judge Cotillo does not wear alien spectacles, and no one has worked harder to make loyal Americans out of aliens than has he. He is not of my political faith. He is a real Tammany Democrat, and I am an insurgent, progressive, Lincoln Republican. [Laughter and applause.]

So we have no politics in common. We have worked together in Americanization work. I know how hard Judge Cotillo has worked at it, and that he has put his whole heart into it, and I know that many times the gentleman from Washington [Mr. JOHNSON], chairman of the Committee on Immigration, has conferred with Judge Cotillo, so I was very much surprised at the statement made by the gentleman from Washington.

Now, it was also stated that 10,000 were to be naturalized in New York. That does not mean that they are going to be rushed through the mill, but it means that the Federal Government, the Naturalization Bureau, are 10,000 behind in their work.

Now, some interest was aroused by my colleague from New York [Mr. CELLER] in giving questions that were asked immigrants. There are questions asked applicants for citizenship by examiners that not a Member of this House could answer. If there is one man here who can tell right off who the Governor of New York was at the time of Lincoln's second inauguration I would like to hear it. But that was a question asked one of the applicants. Another was given an advertisement in a newspaper in a test for reading. It was an advertisement of a New York trust company, and he read it, and then he was asked what a trust company is. There are some Members in this House who can not give a proper legal definition of a trust company.

There was one war veteran who has a right to be naturalized as a matter of course. He was refused because his language was defective. He held an honorable discharge and a wounded certificate. Another was refused citizenship because he had been fined for a traffic violation. Just imagine a chauffeur driving in congested New York City declined citizenship because he violated a traffic regulation. Even judges do that. As long as there is such prejudice and animus developed on the part of officials charged with the question of naturalization, surely the gentleman from Washington ought not to make such statements concerning an honest, conscientious judge. In one breath they take the floor and criticize the immigrants for not becoming citizens and in the next breath the chairman of the Committee on Immigration attempts to retard and prevent naturalization.

Mr. OLIVER of New York. Is it not a fact that they are too far behind in their naturalization?

Mr. LAGUARDIA. Absolutely.

Mr. OLIVER of New York. And in that way they defeat naturalization.

Mr. LAGUARDIA. I do not think it is all unintentional.

Mr. OLIVER of New York. And the Immigration Service has fallen so far behind that it will take two or three years to catch up.

Mr. LAGUARDIA. They are 18 months behind. Now, I want to say that Judge Salvatore Cotillo came to this country when an infant. He represents and typifies the opportunities this good Republic affords to her loyal citizens. He is a good American and as loyal as the gentleman from Washington [Mr. JOHNSON] or any Member of the House. [Applause.]

Mr. JOHNSON of Washington. Mr. Chairman, I ask unanimous consent to address the House for 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. JOHNSON of Washington. Mr. Chairman, in a way I am glad that this subject of naturalization in New York has come up for discussion during this debate. I am sorry that I was not able to be on the floor during all the past one-half hour to hear all that has been said. On the 5th day of this month, last Thursday, I made some remarks here in a running debate on immigration and incidentally called attention to the fact that a class of 10,000 was being naturalized in New York City. I stated that in good faith. Yesterday my friend Mr. BOYLAN called the attention of the House to the fact that I had made it appear that the entire class was to be called up for naturalization on that day.

He was anxious that that be corrected. Let us have the facts. I was led into my statement by the receipt on the morning of the 5th of January, the very day that I addressed this body, of the following letter from the justices' chambers of the supreme court, Salvatore A. Cotillo, justice:

SUPREME COURT OF THE STATE OF NEW YORK,  
New York City, January 3, 1928.

DEAR SIR: Herewith inclosed please find copy of Judge Cotillo's address, which he will deliver on the morning of January 5 at the Bronx County courthouse, One hundred and sixty-first Street and Third Avenue, at the opening of court for the naturalization of 10,000 applicants.

You may be interested in commenting on the views there expressed, particularly as to the necessity of undivided allegiance of our new citizens to America, which is entirely consistent with the love of the culture and traditions of the country from which they sprang.

Yours respectfully,

FRANK H. COOPER, *Secretary.*

P. S.—Appreciating any comments you make.

Then follows the manuscript of the address, with this heading, which you can all see:

Address delivered by Justice S. A. Cotillo, of the Supreme Court of the State of New York, at the Bronx County courthouse, New York City, on January 5, 10 o'clock a. m., at the opening of court to naturalize 10,000 applicants for citizenship, who have clogged the supreme court calendar in the Bronx.

Not only I would be justified in drawing the inference that the great body of prospective candidates for citizenship were assembled at that time, but that was also sent to the newspapers.

Mr. OLIVER of New York. Assembled in one court room?

Mr. JOHNSON of Washington. It might have been in the open air. At any rate, there is the way the publicity was proposed. It may be necessary to make a statement of that exaggerated kind to attract attention. I have made inquiry since. I was in telephonic communication this morning with Judge Cotillo. I find that it is intended to hold court daily for naturalization purposes and that the candidates are to be brought in in four groups per day, each group numbering from 100 to 125; that on Tuesday he naturalized 385, and on Monday 376, and so on, and that that practice would be kept up until the whole 10,000 are naturalized. I assume that this address was delivered on the 5th and that it was supposed to reach all of the 10,000 candidates who are to be naturalized.

Mr. BOYLAN. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Washington. Yes; certainly.

Mr. BOYLAN. Probably the gentleman was not here when I was speaking, but I read a telegram from the county clerk of Bronx County giving the exact number that have been naturalized each day.

Mr. JOHNSON of Washington. Then that must be in accord with these figures that I obtained over the telephone.

Mr. Chairman, this subject of naturalization is a hard one. It is pretty generally admitted by those who have studied the subject that the present naturalization laws hardly fit modern conditions, and only to-day I have had the pleasure of introducing a new naturalization bill which represents in part the work of the committee of this House for upwards of four years' time. It represents the work of some members of the committee during the fall and summer, and it represents the work of those who are conversant with naturalization in the Department of Labor as well as the work of certain members of the Senate committee. I would like to have you all get copies of that bill to-morrow and see whether it agrees with your views as to what a modern method of naturalization should be.

Mr. OLIVER of Alabama. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Washington. Yes.

Mr. OLIVER of Alabama. Whether one approves the hurried method adopted by judges in hearing naturalization matters or not, this is true, and, of course, the gentleman is familiar with the practice that there has been in advance a very careful examination made of the various applicants.

Mr. JOHNSON of Washington. Oh, yes.

Mr. OLIVER of Alabama. A full and complete report made by the examiners to the judge.

Mr. JOHNSON of Washington. Quite so.

Mr. OLIVER of Alabama. And it is on the report of the examiners that the judge bases his decision.

Mr. JOHNSON of Washington. Quite so; but even at that I know that many are being naturalized who should not be given citizenship.

Mr. OLIVER of Alabama. I knew that the gentleman did not intend to convey the impression that a judge called before him a great number and naturalized a great number in one day, and had during that time undertaken to make special inquiry, but that he had referred that to other parties to make the inquiry.

Mr. JOHNSON of Washington. Oh, I would not even think that they had been scooped up out of the street and asked to hold up their hands and take the oath of allegiance without certain preliminaries.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Washington. In a moment. In the talk with Judge Cotillo over the telephone this morning he seemed to feel a little hurt that I had apparently reflected upon him, and I told him that before this procedure was over I would endeavor to visit New York and view a day of it in its actual working. He said to me that the speech which he delivered was addressed to 10,000 candidates whether they were physically present before him or not. I have also learned that the judge's address is causing him to be severely arraigned in some of the foreign-language newspapers. I do not doubt it one bit. I shall ask the Congressional Library to find those papers and to make translations for the information of the Immigration Committee. I shall take the time to read a portion of his address. It rings just as true as my friend the Representative from New York [Mr. LAGUARDIA] has said it would, and it goes to the very crux of the situation we are getting to in the United States. After some preliminary remarks about citizenship, Judge Cotillo, in the address to 10,000 prospective citizens, said:

Above all you must be loyal to the laws and institutions of America. It is not sufficient that you refrain from violating the legal, social, and political obligations imposed upon you by the laws of the land. Mere conformity is not enough. You must prove your Americanism by an affirmative attachment to the ideals upon which this Republic is founded, and by a concrete contribution to the great task of perpetuating the common patrimony. In other words, you must be an American by your deeds as well as by your words.

There is too much lip patriotism in this country at this time. Too many people are compromising with the duties and responsibilities of their citizenship. There is too great a division of loyalty to the spirit and even the letter of our institutions. Never have we witnessed so flagrant a compromise of citizenship as we are witnessing now.

Men masking behind outer forms of loyalty are actually engaged in the propagation of political ideas that strike at the very roots of our democratic structure. Alien agitators in the service of foreign parties have become unusually active in our immigrant "colonies." These agitators are preaching the gospel of an alien allegiance which tends to undermine the whole of our Americanization movement.

They may be acting in good faith, and I sincerely hope that they are; but the obvious result of their agitation is clearly inimical to the best interests of our country.

Of late we have had some shameful examples of their willingness to make trouble. In this country, in the very shadow of this court, we have seen men murdered because of their attachment to alien causes, because of their interest in political struggles that are far removed from American soil.

This activity can not, and will not, be tolerated. There is no room in this country for men of half-way allegiance, and no good American will permit our soil to become a battle ground for alien causes.

I am not referring to any particular group or groups, but to all those who are now abusing the hospitality of America for reasons of their own. The political duty of every citizen in this country is to America and America only.

We can have no patience with those who pledge allegiance to the Republic and in their hearts remain loyal to other causes.

There is nothing more dangerous to the stability of our democratic institutions and the peace and welfare of our people than the pernicious agitation of the foreign propagandist.

There is nothing more detrimental to the welfare of the immigrant himself than the meddling, the dictation, and the misleading counsel of the propagandist, who, under the pretense of a superficial loyalty to America, is actually engaged in promoting and perpetuating an alien allegiance, an allegiance often typified by his own refusal to accept American citizenship.

All the ruthless, heartless, criminal exploitation of the immigrant in this country has been done in the name of an alien patriotism. The flags of Europe have been made to shield too many swindlers in this country, and I say it is time we stopped it.

If the present laws of this country are insufficient to deal with this pernicious activity, then it is the duty of Congress to enact laws which will define more fully who is an undesirable alien and provide more stringent methods for the revocation of American citizenship.

We can not stand by and allow a disloyal minority to poison the minds and the hearts of our people. The man who is out of sympathy with our laws and institutions, who can not share our common idealism, does not belong here. And the citizen who can not live up to the spirit and the letter of his citizenship should have his citizenship revoked.

There is just one ism for which we will stand, which we can tolerate and encourage in this country, and that is Americanism; all other isms, from any part of the world, are unwelcome.

The communist and the bolshevist may be a fit subject for Russia, but not for the United States. This applies equally to those fascist or antifascist who can not approve of the ways of democracy.

The American people can not tolerate dictatorships, be they of the left or of the right; even though these dictatorships may be necessary and beneficial elsewhere.

But while I am stressing the danger of alien agitation in this country I am not unmindful of the fact that there are equally dangerous forces at work who though inspired by a desire to protect America against this agitation actually endanger the very institution they seek to protect. I refer to those Americans who, under the banner of bigotry and intolerance are fostering divisions of race, creed, and color in this country. This activity is to be deeply regretted.

Another point I seek to make.

Many of you come from countries which have contributed in great measure to the civilization of the world. America is proud to have you. The sons and daughters of Ireland, Italy, Russia, Poland, Germany, France, and other countries of the Old World bring with them a heritage rich in spiritual and cultural achievements. We Americans are proud of the contribution of the immigrant, a contribution of labor, and thought reflecting the grandeur of Europe.

There is no doubt of the heroic contributions made by citizens of foreign extraction in the American Army during the late World War.

Regardless from what land they emanated, they were Americans, all fighting a common enemy for the liberty of mankind. Only a few days ago a German mother, living in Brooklyn, received as her New Year's greetings notifications from the War Department of her son's death in Nicaragua.

This illustrates conclusively that not only are immigrants who have sworn allegiance to America ready to accept the opportunities that are available to them, but they are ready to fight and die for the land of their adoption.

While it is expected that you shall pledge undivided allegiance to America, America does not expect you to forego your love for the land of your birth.

Be proud of the country you come from. Be sympathetic with the heroic efforts that your native lands are making in solving the many postwar problems that beset them, especially since the peace of the world depends on the solution of many of those problems.

We Americans feel that each country is entitled to the kind of government that best suits its needs, but we are opposed to the extension of the influence of any European government to these shores, for this extension tends to retard the progress of assimilation and handicap the immigrant himself in the betterment of his social and economic conditions.

Incidentally I might observe that in view of the conditions that prevail among certain foreign groups in this city, State, and country, it would be wise and opportune for certain European governments to delegate the control of their nationals abroad, in this country particularly, exclusively to their ambassadors and consuls, who are much more competent to understand the psychology of the country with which they are dealing than the many opportunists who exploit the patriotism of our alien groups for purposes of their own.

I will refuse citizenship to anyone who is not proud of the country of his birth. Anyone who does not love his own country is not apt to love the country of his adoption.

I know that you have prepared for this honor faithfully, and that deep in your hearts is the willingness to be of real service to our common country. I sincerely congratulate you.

This day should be memorable to you, since henceforth you are no longer a stranger in a strange land, but a member of the great American family, sharing in the duties and privileges of active participation in our democracy.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. JOHNSON of Washington. Mr. Chairman, I would like to ask for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

Mr. BANKHEAD. Reserving the right to object, Mr. Chairman—although I shall not object—I have heard a good deal of this controversy pro and con from the gentleman from Washington and the gentleman from New York. I can not quite understand what this is about. Is the gentleman criticizing the judge over there in a wholesale manner?

Mr. JOHNSON of Washington. No; I am reading some remarks made by him to naturalized citizens. If these remarks had been made by Roosevelt and other farsighted men of a former time, they could not have better warned us of the dangers we are coming to through the so-called race loyalty of some of our adopted citizens.

Mr. BANKHEAD. I hope the gentleman will close up the incident at least.

Mr. JOHNSON of Washington. I could have placed this into the Record yesterday through an extension granted to me, but I thought that under the circumstances that I had better make these statements verbally. I would not do the judge an injustice. Judge Cotillo was himself a member of the organization known as the Sons of Italy when they debated the question some time ago whether they should by vote and resolution give their allegiance to Italy or to the United States. The testimony before our committee showed that Judge Cotillo was himself a deciding factor in the solution of that matter when he voted and placed himself on the side of America.

We are trying in our committee very hard to follow suggestions made several years ago, and codify and bring into one code all the matters that should go into that code. One will be a naturalization bill and another will be a revised immigration bill. If we can make a complete revision we may be able to correct certain conditions that exist and which cause much complaint. We must do it all at once. We can not do it one part at a time. The subjects are too controversial to be handled by small and separate bills. The hearings on deportation show that the Assistant Secretary of Labor thinks that with the money available they will be able only to scratch the matter of deportations on the surface.

I shall ask for an increase of \$500,000 in the lump sum for the enforcement of the immigration laws, and that a portion of that fund be allocated to the border patrol. I am convinced that prevention is most to be desired and is real economy in the long run. Soon our committee will be confronted with the great problem of placing restrictions on the immigration from the Latin-American Republics—21 Republics. Allied to that will be restrictions to the countries north of us.

This matter of deportation is not easy. Two sovereign countries must be parties to every deportation. Men whom you pick up to send out of the country are not always received by their home nation on the other side. This Government is helpless to compel a man to sign a passport.

I do not want to quarrel with any branch of this House or with any part of the membership of this House or any part of the people of the United States, but it has been my hope that we would eventually so legislate on this matter that we would eventually have a united United States. [Applause.]

Mr. BOYLAN. Mr. Chairman, will the gentleman yield for one question?

Mr. JOHNSON of Washington. Yes.

Mr. BOYLAN. The gentleman has been big enough and broad enough to admit that when he saw the light he would make the necessary correction. I hope the gentleman will also continue that spirit in regard to a retraction of the statement he made touching Governor Smith.

Mr. JOHNSON of Washington. The gentleman is asking entirely too much there. [Laughter.]

Mr. BOYLAN. Then the gentleman still persists in that attitude?

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Support of prisoners: For support of United States prisoners, including necessary clothing and medical aid, discharge gratuities provided by law and transportation to place of conviction or place of bona fide residence in the United States, or such other place within the United States as may be authorized by the Attorney General; and including rent, repair, alteration, and maintenance of buildings occupied under authority of sections 5537 and 5538 of the Revised Statutes; support of prisoners becoming insane during imprisonment, and who continue insane after expiration of sentence, who have no friends to whom they can be sent; shipping remains of deceased prisoners to their friends or relatives in the United States, and interment of deceased prisoners whose remains are unclaimed; expenses incurred in identifying and pursuing escaped prisoners and for rewards for their recapture; and not exceeding \$2,500 for repairs, betterments, and improvements of United States jails, including sidewalks, \$2,350,000: *Provided*, That hereafter contracts for the subsistence and care of Federal prisoners, within the discretion of the Attorney General, may be made for a period not exceeding three years.

Mr. BLANTON. Mr. Chairman, I make a point of order against the language contained in the proviso beginning on line 22 and ending at the end of line 25 of page 47, on the ground that it is legislation, unauthorized on an appropriation bill, and seeks to change existing law.

Mr. SHREVE. I am willing to admit that it is legislation, but it is very necessary legislation.

Mr. BLANTON. I am not here to question the advisability of passing such legislation, but we have our legislative committees of the House, and if the Committee on Appropriations expects the bulk of its membership here to follow it in helping to uphold its bill, it must keep out of the field of legislation.

Mr. SHREVE. I will say that the department itself made the recommendation.

Mr. BLANTON. Yes. Instead of coming to the chairman of the legislative committee and saying, "Gentlemen, we want the law changed," they go to the Committee on Appropriations' subcommittee. We ought to stop it. We ought to do either one of two things; either abolish all the legislative committees or else hold this Committee on Appropriations in line. I insist on the point of order.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

#### AIRCRAFT IN COMMERCE

Aircraft in commerce: To carry out the provisions of the act approved May 20, 1926; entitled "An act to encourage and regulate the use of aircraft in commerce, and for other purposes," including personal services in the District of Columbia (not to exceed \$153,760 for the fiscal year 1929) and elsewhere; rent in the District of Columbia and elsewhere; traveling expenses; contract stenographic reporting services; fees and mileage of witnesses; purchase of furniture and equipment; stationery and supplies, including medical supplies, typewriting, adding,

and computing machines, accessories, and repairs; maintenance, operation, and repair of motor-propelled passenger-carrying vehicles; purchase of not to exceed five airplanes, including accessories and spare parts, and maintenance, operation, and repair of airplanes, including accessories and spare parts; special clothing, wearing apparel, and similar equipment for aviation purposes; purchase of books of reference and periodicals; newspapers, reports, documents, plans, specifications, maps, manuscripts, and all other publications; and all other necessary expenses not included in the foregoing, \$662,000.

Mr. BLANTON. Mr. Chairman, I move to strike out the sum "\$662,000" on page 52, line 10, for the purpose of getting some information.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Texas.

The Clerk read as follows:

Page 52, line 10, strike out the figures "\$662,000."

Mr. BLANTON. What is the purpose of the committee, if I may ask the chairman, in extending and enlarging the air service of the Department of Commerce?

Mr. SHREVE. Well, the gentleman knows that the Department of Commerce has charge of the air.

Mr. BLANTON. I am talking about the private air service of the Department of Commerce. This paragraph permits the department to purchase five new airplanes. For what purpose?

Mr. SHREVE. For the inspection of the aircraft in the country.

Mr. BLANTON. That is for the inspection of commercial airplanes?

Mr. SHREVE. All.

Mr. BLANTON. The gentleman does not mean that they shall inspect the airplanes in the Army and in the Navy and in the Marine Corps, but only with respect to airplanes in such other jurisdiction as comes within their scope?

Mr. SHREVE. The gentleman from Alabama is nearer the gentleman from Texas and will give the gentleman the information.

Mr. BLANTON. I can not handle all the members of the committee at the same time.

Mr. OLIVER of Alabama. I am sure all the gentleman wants is information?

Mr. BLANTON. Yes; definite information.

Mr. OLIVER of Alabama. Supplementing what the gentleman from Pennsylvania has said, these planes are supplied in order that the department may better and more efficiently perform its duties under the law.

Mr. BLANTON. In my own time, may I ask my colleague from Alabama this question? I know what is in his mind, and this is not what is in my mind: There are those in this Government to-day, men of substance and of good judgment, who believe that there should be a unified air service of the Government; that it should embrace the Air Service of the Army, of the Navy, of the Marine Corps, and of the executive departments of the Government, including the great Department of Commerce, as well as every other air service, and there should be one head to it in order to prevent duplication and thus save money. What is the policy of this subcommittee of the Committee on Appropriations with regard to that proposal on the part of men of good, sound judgment and common sense?

Mr. OLIVER of Alabama. So far as this subcommittee is concerned, they are clothed with no authority in that matter; they are seeking here to provide planes for a service authorized by law in order that that service may function more efficiently.

Mr. BLANTON. I am for everything the gentleman is, for in that respect, but continually every year, Congress after Congress, the Navy is expanding its air service, the Army is expanding its air service, and the other air services are expanding separately and apart from each other. There is no continuity and there is no attempt whatever to prevent duplication.

Mr. OLIVER of Alabama. Will the gentleman yield there?

Mr. BLANTON. Yes.

Mr. OLIVER of Alabama. I am afraid that if this committee should undertake to write their own views on that subject the gentleman would object to it, as he would have a right to do, under a point of order.

Mr. BLANTON. I know; but the committee has so framed its policies in enlarging the particular air service of our Mr. Secretary Hoover in the Department of Commerce that a point of order will not lie against it; they have so adroitly framed their bill as to bring it within the rules and thus preventing a point of order from reaching it.

Mr. SHREVE. Will the gentleman yield?

Mr. BLANTON. I am done, and I yield the floor. I have gotten this off my system, and I yield.

The Clerk read as follows:

For carrying out the provisions of the act approved March 3, 1927, to establish in the Bureau of Foreign and Domestic Commerce of the Department of Commerce a Foreign Commerce Service of the United States, including personal services in the District of Columbia and elsewhere, the compensation of a clerk or clerks for each commercial attaché at the rate not to exceed \$3,000 per annum for each person so employed, rent outside the District of Columbia, telephone service, purchase of furniture and equipment, stationery and supplies, type-writing, adding, duplicating, and computing machines, accessories and repairs, law books, books of reference and periodicals, maps, reports, documents, plans, specifications, manuscripts, newspapers (foreign and domestic) not exceeding \$4,000, and all other publications, traveling expenses of officers and employees, ice and drinking water for office purposes, and all other incidental expenses not included in the foregoing, to be expended under the direction of the Secretary of Commerce, and under the following heads:

Mr. BLANTON. Mr. Chairman, I reserve a point of order to the paragraph for the purpose of asking a question. When we provided for these commercial attachés we did not provide a clerk for each one of them?

Mr. SHREVE. That is correct.

Mr. BLANTON. The committee now provides a clerk for each one of them. Under what authority of law?

Mr. SHREVE. There is no authority of law, and we are not providing a clerk for them.

Mr. BLANTON. Here is what the language says:

The compensation of a clerk or clerks for each commercial attaché at the rate not to exceed \$3,000 per annum for each person so employed.

And so on. Now, that does provide as many as one clerk and maybe several clerks for each commercial attaché so long as they do not pay them more than \$3,000 a year. That language says that emphatically.

Mr. SHREVE. Will the gentleman yield?

Mr. BLANTON. Certainly.

Mr. SHREVE. Of course, the gentleman knows it is just an administrative function. That is all. It comes within section 169 of the Revised Statutes, and is found in One hundred and eighty-sixth Barnes, Federal Code.

Mr. BLANTON. But that code applies to the executive departments of this Government.

Mr. SHREVE. It applies to all the departments of the Government.

Mr. BLANTON. When those codes were passed it was never dreamed that each commercial attaché should have a clerk or a bevy of clerks.

Mr. SHREVE. That is up to the authorities in charge; they can regulate it.

Mr. BLANTON. Does the gentleman think the organic law permits his committee to provide a clerk or a bevy of clerks for each commercial attaché?

Mr. SHREVE. The law I have just quoted provides for clerks wherever they are necessary in the Government.

Mr. BLANTON. Well, I shall not make a point of order against the paragraph because possibly there may be a clerk or a bevy of clerks needed, but I want to call the attention of the country to the fact that every single employee of the Government we now have is seeking to have at least one clerk, and maybe two clerks, to do his work for him so he can play golf or do something else that pleases him.

Mr. SHREVE. They have not been very successful.

Mr. BLANTON. Well, the gentleman and his committee have not limited them to one, because the language provides for the compensation of a clerk or clerks.

Mr. SHREVE. Well, we are unable to legislate on appropriation bills.

Mr. BLANTON. I claim that is legislation, but I shall not make a point of order against it.

Mr. HOCH. Mr. Chairman, if the gentleman will permit, I want to call attention to the fact—

Mr. BLANTON. Mr. Chairman, I withdraw the reservation of a point of order.

Mr. HOCH. Mr. Chairman, I move to strike out the last word simply to call the attention of the chairman and the gentleman from Texas to the fact that the act which created the Foreign Service, the act approved March 3, 1927, in section 4, does specifically authorize the appointment of clerks.

Mr. BLANTON. To each commercial attaché?

Mr. HOCH. I will read it to the gentleman.

Mr. BLANTON. Read it, and the gentleman will see it does not apply to them.

Mr. HOCH. I read from section 4:

Subject to the requirements of the civil service laws and rules, the Secretary is authorized to appoint, fix the compensation of, promote, demote, and separate from the service such clerks and other assistants for officers of the Foreign Commerce Service as he may deem necessary.

This is very broad language and plainly includes the authorization to appoint clerks.

Mr. BLANTON. That does not contemplate giving a clerk or a bevy of clerks to each commercial attaché? Three thousand dollars for each one of these clerks is more salary than most of the attachés have ever drawn either in the foreign commercial service or in our diplomatic foreign service.

Mr. WATSON. Mr. Chairman, I move to strike out the last two words. There has been a great deal of conversation between the consuls and the commercial attachés as to why a consul is only allowed to pay \$1,000 for a foreign secretary while a commercial attaché is allowed to pay any amount he desires. Has that been corrected in this bill?

Mr. SHREVE. We are not able to correct that for the reason it would be legislation, and we are not permitted to legislate on an appropriation bill.

Mr. WATSON. It is a matter that ought to be corrected, because it is impossible to get a clerk for \$1,000 a year, although he may be a native one.

Mr. SHREVE. We recognize the fact it should be corrected and we hope the legislative committee will consider the matter. The gentleman is quite right about it.

Mr. WATSON. It is impossible to get a clerk for this amount who is responsible for the work such a clerk has to do, and the situation ought to be remedied.

Mr. SHREVE. The gentleman is quite right, and we would be pleased to remedy it, but we have not the authority.

The Clerk read as follows:

Promoting commerce in Latin America: Investigations in Latin America for the promotion and development of the foreign commerce of the United States, \$458,817, of which amount not to exceed \$113,800 may be expended for personal services in the District of Columbia.

Mrs. ROGERS. Mr. Chairman, I move to strike out the last word. [Applause.]

Mr. Chairman and members of the committee, I want at this time to say a word of appreciation of the work of the gentleman from Pennsylvania [Mr. SHREVE] and the members of his committee in the development of our domestic and foreign trade. Some years ago Mr. SHREVE had the foresight to see of what enormous value trade development would prove to be. I am thankful—and I know the business people are thankful—for this work. They write to me constantly of their approval of it. During the war our industries expanded and at the present time we must have something to take up the slack between supply and demand. One of the Nation's greatest needs is to develop our markets. It avails us but little if we make fine products if we can not sell them. Other countries are developing their foreign trade, and it is absolutely essential that we should wake up and have our fair share of foreign trade.

The gentleman from Pennsylvania [Mr. SHREVE] has done a very wonderful work in this direction, as has the Department of Commerce. I want to speak of my experience with Secretary Hoover's Department of Commerce. My requests for information are granted at the earliest possible moment. No one acts as if any task were a burden. No one has ever mentioned a question of salary. No one has ever made a personal request or asked a favor of any kind. I feel perfectly sure that every person in that department I have ever talked to would gladly work all night in securing information. Everyone is eager to serve. It is the department of intelligent constructive service.

I have used this department, I think, perhaps more than any department in Washington, as my district is commercial, being half industrial and half agricultural. We have some "sick" industries in my district. Our cotton-manufacturing plants have had a difficult time. It is not a question alone of oversupply in our New England industries. We are not in fair competition with the South in hours of labor, in wages, in taxation, and raw materials. This will be remedied in time.

We must help New England and the entire country in developing trade. Our flag of commerce ought to fly in every country. Foreigners should see more and more the "Made in the United States" mark. There are great opportunities for American trade development in the Near and Far East, and in Australia. There are great possibilities for developing our trade in Mexico, in Central America, and in South America. Ever since 1914 people from those countries have said, "Why does not America develop her trade in our country?"

In aviation alone we are far behind other nations, in the sale of airplanes, and in air lines. Everyone understands the value of quick mail in commerce. It is humiliating that the pioneer aeronautical move in Latin America was started by the Curtiss Co. in 1914; but since then foreign countries have left us so far behind that we are not real competitors. I have been told that the advantage of this rapid system of communication between the commercial centers of western Europe and the east coast of South America can not be overemphasized. The transmission of orders, remittances, quotations, specifications, and other business correspondence will give our European competitors a tremendous advantage in this trade arrangement. The factor of interest savings and the multiplication of activities of capital employed in this trade alone will place our exporters at a handicap compared to European firms.

Our experience with the transcontinental air mail shows very clearly the advantages which they will have and brings very definitely to our attention the need for similar services between the United States and Latin-American countries. Our trade with Latin America in 1926 amounted to almost \$2,000,000,000, of which over \$872,000,000 consists of exports from the United States to those countries. One of the primary advantages in our trade with Latin America has been our comparative proximity to these countries as is shown by the fact that the percentage of the import trade of these countries held by the United States shows a striking decrease as the distance from our trade centers increases. As an example of the effect of distance on our foreign trade with these countries, it is interesting to know that the farther South one goes the smaller is the share of the imports received from the United States; Mexico receiving 70 per cent of her imports from this country, Central America 62 per cent, Colombia 49 per cent, Peru 39 per cent, and Chile 28 per cent. Nothing could illustrate more clearly the advantages of rapid communication facilities than the above figures, and unless we can develop air mail services, at least on an equal basis with our European competitors, the advantage of our physical proximity to these countries will decrease.

I requested further assistance for the following industries: Textile, boot and shoe, hide and leather, machinery, paper, chemical, and aviation. I am sorry, of course, that the committee did not give us a little more money. I am sorry it did not give an authorization for more specialized trade commissioners for special commodities, but it is my impression, Mr. Chairman, that you are perfectly willing if a sick industry needs special help to have such help granted, and I hope that the committee will grant larger appropriations for this service next year.

I do not want to take up any more time of the committee in discussing this matter, but I want to thank the members of Mr. SHREVE's committee for their courteous consideration of my requests made last year and this year for foreign commissioners and the promotion of our domestic trade.

I happen to know of definite orders that have been brought about by the commercial attachés and trade commissioners of the Department of Commerce. I know of three consecutive orders that were given to the same mill in the State of the gentleman from Alabama [Mr. OLIVER]. Northern and southern capital received the benefit of the orders and southern labor received the benefit of the work and the wages. This is very definite proof, although only one, and there are hundreds of others of what this trade promotion work by the Department of Commerce has accomplished.

I thank you. [Applause.]

The Clerk read as follows:

District and cooperative office service: For all expenses necessary to operate and maintain district and cooperative offices, including personal services in the District of Columbia and elsewhere, rent outside of the District of Columbia, traveling and subsistence expenses of officers and employees, purchase of furniture and equipment, stationery and supplies, typewriting, adding, and computing machines, accessories and repairs, purchase of maps, books of reference and periodicals, reports, documents, plans, specifications, manuscripts, not exceeding \$800 for newspapers, both foreign and domestic, for which payment may be made in advance, and all other publications necessary for the promotion of the commercial interests of the United States, and all other incidental expenses not included in the foregoing, \$495,000, of which amount not to exceed \$21,500 may be expended for personal services in the District of Columbia: *Provided*, That the Secretary of Commerce may require as a condition for the opening of a new office or the continuation of an existing office that commercial organizations in the district affected provide suitable quarters without cost to the Government or at rentals at lower than prevailing rates. The Secretary may, at his discretion, refuse to open a new office or continue an existing office where such assistance from local commercial organizations is not provided.

Mr. KADING. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Under the heading of Bureau of Foreign and Domestic Commerce, line 12, on page 55, by striking out the figures where the same appears in said line "\$495,000," and inserting in lieu thereof the figures "\$510,000," and by adding the words immediately after such sum of "\$510,000," the following words: "and that of such sum of \$510,000, \$15,000 shall be appropriated for a district office at Milwaukee, Wis."

Mr. KADING. Mr. Chairman, I simply desire to say in support of this amendment that the committee on page 23 of its report in connection with this bill says that out of the amount of \$495,000 provided by this bill at this point \$435,000 is the current appropriation for 23 existing district offices of the Bureau of Foreign and Domestic Commerce; that the difference between that sum and \$495,000, provided by the bill in the sum of \$60,000, is for three additional offices—\$15,000 for each of such three additional offices and \$15,000 for additional employees at already existing offices. I understand that of these three additional offices contemplated Milwaukee is not included. I believe that Milwaukee should have a district office in connection with the Bureau of Foreign and Domestic Commerce, and I urge the passage of this amendment in the interest of the shippers interested and for the convenience of such shippers in Milwaukee, Watertown, and Wisconsin in general. I sincerely hope that the committee will support the amendment in view of the fact that the additional appropriation is nominal, advisable, and necessary.

Mr. BLANTON. Mr. Chairman, I make the point of order that it is legislation on an appropriation bill.

The CHAIRMAN (Mr. HAWLEY). The point of order is sustained, and the Clerk will read.

The Clerk read as follows:

Domestic commerce and raw-materials investigations: For all expenses, including personal services in the District of Columbia and elsewhere, purchase of books of reference and periodicals, furniture and equipment, stationery and supplies, typewriting, adding, and computing machines, accessories and repairs, medical supplies and first-aid outfits, reports, documents, plans, specifications, manuscripts, maps, and all other publications, rent outside of the District of Columbia, traveling and subsistence expenses of officers and employees, and all other incidental expenses not included in the foregoing, to enable the Bureau of Foreign and Domestic Commerce to collect and compile information regarding the disposition and handling of raw materials and manufactures within the United States; and to investigate the conditions of production and marketing of foreign raw materials essential for American industries, \$275,000, of which amount not to exceed \$121,520 may be expended for personal services in the District of Columbia.

Mr. TREADWAY. Mr. Chairman, I move to strike out the last word. I do so in order to ask the chairman of the committee in regard to this item and the previous one. I believe these items have been increased from the appropriations of last year by some \$60,000.

Mr. SHREVE. Sixty-five thousand dollars.

Mr. TREADWAY. Can the chairman give us any idea as to the manner in which this additional appropriation will probably be expended?

Mr. SHREVE. That is left to the department itself.

Mr. TREADWAY. I have read the testimony before the gentleman's committee in reference to this increased appropriation, and it seemed to me from the testimony of the department's representative that about half the increase was to be devoted to commodity experts in two lines of industry—I think the automobile and the textile industries.

Mr. SHREVE. We never name them in the bill.

Mr. TREADWAY. Can not the representative of the department state where they expect to use it?

Mr. SHREVE. The committee never follows a recommendation of that sort. They might report what has been accomplished.

Mr. TREADWAY. The reason I bring this up is that one of the chief industries in my district is the paper manufacture, and I know the paper industry has been very much interested in having this line of work carried out for the paper industry itself. I should be only too glad to favor an additional amount in the hope and anticipation that some might be used for the manufacture of paper.

Mr. SHREVE. It is the understanding that a part of the appropriation will be used for experts to be employed during 1929 in paper commodities.

Mr. TREADWAY. Then I understand that the department has indicated that in all likelihood it will include paper commodities?

Mr. SHREVE. That is the contemplation.

Mr. BLANTON. Mr. Chairman, I rise in opposition to the pro forma amendment. I want to take a minute on this proposition in this paragraph and the following one:

To enable the Bureau of Foreign and Domestic Commerce to collect and compile information regarding the disposition and handling of raw material and manufacture within the United States; and to investigate the conditions of production and marketing of raw materials essential for American industries, \$275,000.

Now, in that connection I want you to turn to page 76 to the amount that is allowed the Bureau of Standards for the investigation and utilization of waste products from land—a farmer's product.

There it allows \$50,000—

of which amount not to exceed \$41,000 may be expended for personal services in the District of Columbia.

That would leave \$9,000 for field investigation.

Mr. SHREVE rose.

Mr. BLANTON. Oh, just one moment. I want to show what the Bureau of Standards is doing with its little \$50,000, of which only \$9,000 is for field operation. Here is a letter dated December 12, 1927, from the Bureau of Standards addressed to myself, signed by George K. Burgess, director.

DEPARTMENT OF COMMERCE,  
BUREAU OF STANDARDS,  
Washington, December 12, 1927.

Hon. THOMAS L. BLANTON,  
House of Representatives, Washington, D. C.  
Subject: Utilization of waste-land products.

MY DEAR CONGRESSMAN: I. Remembering your interest in our investigation of waste-land products and believing that you will be particularly interested in the investigation of products from the cotton plant, I am inclosing herewith a brief statement of the work which we have done this fiscal year on the development of valuable products from the plant.

2. This work is a part of our investigation into the utilization of waste-land products for which \$50,000 was made available during this fiscal year.

Respectfully,

GEORGE K. BURGESS, Director.

In that connection I ask unanimous consent that the statement from Director Burgess there referred to be incorporated as a part of my remarks.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

The statement referred to is as follows:

WORK ON BY-PRODUCTS FROM THE COTTON PLANT CONDUCTED UNDER THE ALLOTMENT FOR INVESTIGATING "WASTE-LAND PRODUCTS," JULY 1, 1927, TO DECEMBER 1, 1927

A preliminary investigation, including a trip to Memphis, Tenn., College Station, and Abilene, Tex., indicated (1) that the cotton stalk was being used in a small way for the manufacture of partition tile, but that the fertilizing value of the stalk is so high as to make its use for any other purpose of doubtful economy; (2) that the market for cottonseed hulls and bran is extremely fluctuating, so that a new outlet to steady the demand would be very helpful; (3) that the new process of harvesting the cotton crop by means of sledding has resulted in the collection of burrs in large quantities at the gins, and that a use for these burrs should be found.

In investigating what products can be made from such materials, the first logical move is to analyze them.

In preparing the hulls for analysis, it was discovered that if the hulls are ground and put through an air separator, the adhering linters can be cleanly removed, leaving the bran. Since there is usually a better market for the linter and the bran than there is for the hulls, and the extra manufacturing cost is low, this appears to be a logical thing to do. It has since been learned that one company has such a plant in operation.

Our analytical work gave the following results:

Per cent on dry basis

	Bran	Burrs	
		Coarse	Fine
Ash.....	2.38	4.49	7.94
Crude fat.....	.91	.75	1.16
Crude protein.....	3.28	5.88	8.85
Crude fiber.....	37.04	50.68	38.33
Nitrogen-free extract.....	56.39	38.20	43.72

A further analysis of the ash from the burrs gave the following results:

	Per cent
Silica.....	15.95
Oxides of iron and aluminum.....	4.82
Lime.....	9.93
Magnesia.....	5.76
Sulphuric acid anhydride.....	3.79
Potash.....	33.20
Soda.....	11.09
Chlorine.....	2.11
Phosphorus pentoxide.....	4.10

This analysis shows the ash to be a very valuable fertilizer. It seems that an attempt has been made to persuade the farmers to haul these burrs back to the fields, but they are disinclined to do so because of the bulk of the product. If these burrs could be incinerated at the gins and the ash returned to the farmers, it would have quite an effect on the conservation of our supplies of potash. The manufacturing process is so simple that the price to the farmer should be much less than the present cost per unit of potash.

The term "crude fiber" means merely the result obtained when the sample is treated by empirical laboratory methods, and bears little relation to the cellulose actually present. The amounts of cellulose in these materials were found to be as follows:

	Bran	Burrs	
		Coarse	Fine
Alpha cellulose.....	45.5		
Beta and gamma cellulose.....	12.5		
Total cellulose.....	58.0	57	43

It is to be noted that all of the three kinds of cellulose can be used for most purposes but that only the alpha variety is suitable for the manufacture of rayon.

Incidentally we have studied the analytical method for the estimation of cellulose, so that one determination now requires only two days, whereas formerly it took eight days.

Attention is particularly called to the difference of 14 per cent in the cellulose content of the fine and coarse burrs. It seems that the burr is an extremely heterogenous material. If we can find some method for concentrating the cellulose in a manner analogous to the way in which ores are concentrated, a material may be produced having a sufficiently high proportion of cellulose to compete economically with wood.

The "nitrogen-free extract" is a conglomerate made up of cellulose, lignin, and certain compounds of sugars. It has been found that the extract from cottonseed bran contains no sucrose or dextrose, but that hydrolysis produces 43.59 per cent of xylose, with traces of galactose and arabinose. This yield of xylose is very high as compared with the 12 to 15 per cent which is obtained from corncobs, for example. While there is no market for xylose at present it seems that a market may be developed for the acid made from it, as a food product, if it can be made cheaply. We are now investigating the method of hydrolysis to find out how to get maximum yields.

Furfural can be produced by the proper chemical treatment of any of these materials. We have obtained 26.17 per cent of furfural from cottonseed bran as compared with the 10 to 15 per cent yields now obtained commercially from oat hulls. Last year furfural had a limited market at 14 cents a pound. This year, at 10 cents a pound, the market has about doubled. Every cent which can be cut off the price will increase the demand. The greater yield obtainable from cottonseed hulls should reduce the price considerably. Furfural is used mainly in the manufacture of synthetic resins and plastics.

BUREAU OF STANDARDS, DEPARTMENT OF COMMERCE,  
Washington, D. C.

Mr. BLANTON. Then, Mr. Chairman, I have another letter, dated January 6, 1928, from the Bureau of Standards of the Department of Commerce upon the same subject, signed by George K. Burgess, director, which is as follows:

DEPARTMENT OF COMMERCE,  
BUREAU OF STANDARDS,  
Washington, January 6, 1928.

Hon. THOMAS L. BLANTON,  
House of Representatives, Washington, D. C.  
Subject: Utilization of peanut hulls.

MY DEAR CONGRESSMAN: Under date of December 12 we sent to you a summary of the work which has been done on cotton burrs and cottonseed hulls in connection with our waste-land products investigation. We are inclosing herewith similar information regarding the work which has been done on the utilization of peanut hulls.

Respectfully,

GEORGE K. BURGESS, Director.

I ask unanimous consent in that connection to insert in my remarks the statement from Director Burgess referred to therein.

The CHAIRMAN. Is there objection?

There was no objection.

The statement referred to is as follows:

#### UTILIZATION OF PEANUT HULLS

In the attempts to find methods to utilize peanut hulls with greater economic returns to the farmer and the associated peanut-oil plants we have confined ourselves more especially to practical researches with the hope of discovering and developing promising processes quickly. We have therefore taken up three lines of work, with the following results:

I. We are attempting to find direct physical uses for the peanut hulls without any chemical treatments.

(1) We have been able to steam and soften mill-run peanut hulls and compress them at 1,500 pounds pressure per square inch into a hard, tough wall board of pleasing color. This wall board has not been changed or rotted or mildewed by four months' exposure to the air. Disinfectants and binders can be incorporated in the board when desired. The hulls left after extracting sugars therefrom under II below can be pressed into wall board while still hot and wet. Wall board has a large market and this process should be cheap.

(2) Work is under way to employ the fine-ground as well as coarse hulls as binders in gypsum acoustical wall board and building blocks. An expensive type of specially treated wood shavings is used at present. Such fiber-gypsum compositions are light in weight and do not readily fracture and crumble.

II. Another project is—

(1) The extraction and use of sugars, including xylose, from peanut hulls by means of acids or water; and

(2) The employment of the extracted hulls for making a gypsum binder, wall board, or pulp for rayon (artificial silk).

(a) The extraction of sugars from peanut hulls has not been successfully developed and yields of 35 to 40 per cent are obtained. The process has now passed the experimental stage and is being employed with 6 pounds per charge. The chief constituent of these sugars is the heretofore rare and high-priced sugar, xylose. We believe that xylose can be manufactured cheaply and sold in large quantities. The following practical studies have been made to that end—

(b) We have crystallized xylose from water alone without the use of expensive solvents and are now studying practical methods for doing this commercially.

(c) We have oxidized this xylose by means of chlorine and nitric acid into an organic acid called xylo trioxgluturic acid, or xylo acid as an abbreviation. This xylo acid is very similar to tartaric, citric, and malic acids, for which there are already large markets. We are now concentrating on practical methods for making and using this xylo acid.

(d) We have shown that the xylose can be fermented by certain molds and fungi and are studying the products.

(e) We are studying the use of xylose in slowing up the setting of gypsum to replace other retarders now in wide use.

III. The hulls remaining after extraction of sugars in II are useful for making wall board or gypsum binders, as recited above. But these hulls contain a large percentage of cellulose after removal of the sugars. We have used a soda cook and bleaching methods on these extracted hulls and produced a good grade of pulp therefrom. We are making an intensive study of methods of making this pulp in the belief that it will find a large commercial outlet in the manufacture of rayon.

BUREAU OF STANDARDS, DEPARTMENT OF COMMERCE,  
Washington, D. C., January 5, 1928.

Mr. BLANTON. Mr. Chairman, why is not the subcommittee as willing to grant the Bureau of Standards on behalf of the agricultural interests of America the sum of \$275,000 that it granted to industry for the investigation of raw materials? Is not that a fair question? Is not the gentleman's subcommittee and the Congress as willing to help find a use for the present waste products of the farms and ranches and investigate its raw materials as it is to do these things for industry? If it is willing to give \$275,000 to industry to investigate raw materials in behalf of industry, why is it not just as willing to give a like sum of \$275,000 to the Bureau of Standards to investigate the utilization of waste farm products which now mean so much to the farmers of the country? I am going to offer an amendment when we get to this page under the Bureau of Standards to ask not \$275,000 but to add to this little \$9,000 they can spend now in the field during the next fiscal year under this bill the sum of \$100,000, less than half of what you are giving to industry on the same subject. Is the gentleman going to oppose that?

Mr. SHREVE. Certainly.

Mr. BLANTON. Why?

Mr. SHREVE. For the reason that the Bureau of Standards is working on the scientific subject of the production of various commodities.

Mr. BLANTON. And it is doing wonderful work, and it will do it for the producers of the country if it is given the money.

Mr. SHREVE. I fully agree with the gentleman regarding the work, and they already have enough money.

Mr. BLANTON. And when it gets to doing something that is worth while for the farmer—

Mr. SHREVE. Then you will find the Bureau of Standards on the job.

Mr. BLANTON. We can not get the steering committee in line. It will approve a bill like the McNary-Haugen bill that will create a big corporation to ship the farmer's products abroad, and if there is any profit on those products it will be distributed not among the farmers who raise the products but given to the corporation—a bill that your President was forced to veto; a bill that he can not stomach, that he has had to turn down; but when it comes to a proposition of helping the farmers, the producers, the dirt farmers of this country, the steering committee turns it down. They are not in favor of it. But we are going to give you a chance to vote upon it.

Mr. SHREVE. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Yes; if the gentleman has any defense, I would be very glad to hear it.

Mr. SHREVE. The item that is now before the committee is a different one from what the gentleman has mentioned, to be found on page 76 of the bill.

Mr. BLANTON. Yes; it just antedates what is to come a little later.

Mr. SHREVE. May I say a half dozen words?

Mr. BLANTON. Yes; I yield to the gentleman in my time.

Mr. SHREVE. After the Bureau of Standards has found a method for producing the matter the gentleman has been talking about and converting it to some useful purpose, then we would have to find a market, and you have got to go to the markets of the world to dispose of it. If it were not for this section, you would find a whole lot of products lying on the farms and about factories that could not be consumed.

Mr. BLANTON. Mr. Chairman, this is the first time I have ever seen the gentleman from Pennsylvania place the cart before the horse. First, according to his own argument, he wants to find a market for a product that does not now exist, because these waste products are not now marketable, and will become marketable only when the Bureau of Standards finds some use for them. Therefore he wants to find a market before the bureau finds that they have valuable uses. I hope the gentleman will be generous and will let us enlarge this amount in behalf of the farmers of the country.

The Clerk read as follows:

Collecting statistics: For securing information for census reports, provided for by law, semimonthly reports of cotton production, periodical reports of stocks of baled cotton in the United States and of the domestic and foreign consumption of cotton; quarterly reports of tobacco; per diem compensation of special agents and expenses of same and of detailed employees, whether employed in Washington, D. C., or elsewhere; the cost of transcribing State, municipal, and other records; temporary rental of quarters outside of the District of Columbia; for supervising special agents, and employment by them of such temporary service as may be necessary in collecting the statistics required by law, including \$15,000 for collecting tobacco statistics authorized by law in addition to any other fund available therefor, and including not to exceed \$5,000 for the employment by contract of personal services for the preparation of monographs on census subjects: *Provided*, That the compensation of not to exceed 10 special agents provided for in this paragraph may be fixed at a rate not to exceed \$8 per day, \$875,000, of which amount not to exceed \$350,000 may be expended for personal services in the District of Columbia, including temporary employees who may be appointed under the civil-service rules at per diem rates to be fixed by the Director of the Census without regard to the provisions of the classification act, for the purpose of assisting in periodical inquiries: *Provided*, That temporary employees of the Bureau of the Census may be allowed leave of absence with pay at the rate of two and one-half days a month.

Mr. BLACK of Texas rose.

Mr. BLANTON. I reserve a point of order on the proviso.

Mr. BLACK of Texas. I wanted to reserve a point of order on the language on page 62, line 4—

without regard to the provisions of the classification act.

I would like to find out any reason why the classification act should be set aside in this particular case.

The CHAIRMAN. The gentleman from Texas [Mr. BLACK] is recognized.

Mr. BLANTON. I reserve a point of order, too.

Mr. SHREVE. It is current law. It is current every 10 years. We are about to have a new census. There must be

certain preliminaries that must be gone through. We must secure the force and men must be trained, and we must bring in men qualified to train those men. It is current law every 10 years.

I admit that the language is subject to a point of order.

Mr. BLACK of Texas. I have no desire to make a point of order if the committee has looked into it and found that there is a good reason to make an exception in this case.

Mr. SHREVE. We have looked into it. Under this law the census would be seriously handicapped. We could not find the proper men among those who now come within the classification act.

Mr. BLACK of Texas. In view of the statement made by the chairman of the subcommittee, I will withdraw my point of order.

Mr. BLANTON. I make a point of order on the following language, beginning on line 3 of page 62, reading as follows:

Without regard to the provisions of the classification act, for the purpose of assisting in periodical inquiries: *Provided*, That temporary employees of the Bureau of the Census may be allowed leave of absence with pay at the rate of two and one-half days a month.

That is legislation unauthorized upon an appropriation bill, and it seeks to change existing law; and it should come out of the bill.

Mr. SHREVE. The gentleman wants to be fair about it.

Mr. BLANTON. Certainly. There are a number of departments here in the Government which employ temporary employees. Now, regarding all the permanent employees, those employees get their leave; but when they employ a person, say, for 15 days, then under this provision they must give them a day and a quarter leave. If they employ them for a month, you will give them two and a half days leave. It is ridiculous. Until you extend this provision to every one of the departments and bureaus and Government establishments you ought not to pass it as to one. You ought not to make fish of one and fowl of another. You ought to treat them all alike.

Mr. SHREVE. This only occurs once in 10 years.

Mr. BLANTON. No; departments are employing temporary employees now. The gentleman does not get in as close touch as I do with them.

Mr. SHREVE. We take the census of the United States every 10 years, and in order to do that some necessary things must be taken care of, and this is one, in order to provide a force. These men could not be found in the classified service, men trained with the necessary equipment.

Mr. BLANTON. The men who will be appointed from my district would not want any two and a half days' leave each month in addition to their holidays and Sundays.

Mr. JOHNSON of Washington. In order to properly employ the people from the gentleman's district an enormous amount of preliminary work must necessarily be done. This is an enormous work.

Mr. BLANTON. Eventually we are going to get into a position where we will be granting leave and retirement so generally that you will have more than one-half of the people on the pay roll doing nothing, supported by the other less than half. As to these temporary employees, they ought not to have any leave at all, considering the number of days they have off under the law.

Mr. JOHNSON of Washington. The Government has grown enormously, and these temporary clerks are necessary.

Mr. BLANTON. I will say to the distinguished gentleman from Washington that soon he will find the Committee on Appropriations bringing in immigration bills and naturalization bills, and the gentleman will have nothing in the world to do except to sit here and say yea and nay.

Mr. SHREVE. That will not happen under the present administration.

Mr. BLANTON. The administration will be changed, and the cycle has probably been reached now when soon there will be a change.

Mr. Chairman, I insist on the point of order. It is clearly legislation, unauthorized on this appropriation bill.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

Enforcement of navigation laws: To enable the Secretary of Commerce to provide and operate such motor boats and employ thereon such persons as may be necessary for the enforcement, under his direction, of laws relating to navigation and inspection of vessels, boarding of vessels, and counting of passengers on excursion boats, including insignia, braid, and chin straps, and coats, caps, and aprons, for stewards' departments on vessels, \$89,000.

Mr. NEWTON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Minnesota is recognized for five minutes.

Mr. NEWTON. I note on page 65, lines 1 to 8, the provision for the enforcement of navigation laws. The appropriation goes into such minute detail as to specify that the money can be used for "insignia, braid, and chin straps," and so forth.

Mr. SHREVE. Yes.

Mr. NEWTON. Now, just what is the occasion for going into this minute detail?

Mr. SHREVE. It becomes necessary by reason of the ruling of the Comptroller General.

Mr. NEWTON. I merely want to make the observation that in the creation of the position of Comptroller General and in the administration of the work of that office sometimes those who are at work upon it carry their work out in such a minute and critical way that language of this kind seems to be necessary in an appropriation bill. It would seem to me that with the great work of that office there ought to be somebody in the institution with sufficient breadth of vision so that it would not be necessary to provide minutely in an appropriation bill for "chin straps" for a navigation officer.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Utilization of waste products from the land: For the survey of the possibilities of the industrial utilization of waste products from the land, including cooperation with colleges, other institutions and manufacturers, including personal services in the District of Columbia and in the field, \$50,000, of which amount not to exceed \$41,000 may be expended for personal services in the District of Columbia.

Mr. BLANTON. Mr. Chairman, I offer an amendment. On page 76, line 8, strike out "\$50,000" and insert "\$150,000."

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: Page 76, line 8, strike out "\$50,000" and insert in lieu thereof "\$150,000."

Mr. BLANTON. Mr. Chairman, this is the only paragraph in this bill which could benefit the farmer. You are giving the Bureau of Standards \$50,000 with which to investigate the utilization of waste farm products and requiring them to spend \$41,000 in the District of Columbia, leaving them only \$9,000 to operate on in the field. I know my amendment has no chance to pass in the House. I have been operating on this bill by points of order, so I am afraid I have made myself persona non grata to the subcommittee and they are not going to let my amendment pass here. But what I shall say and have said and the reports I have placed in this Record from Director Burgess, of the Bureau of Standards, are probably going to cause the Senate to put this amendment in. The Senate will get the credit for it. The distinguished gentleman from Pennsylvania [Mr. SHREVE], if he were wise, could get the credit for it. The Republican steering committee on this floor, if it were wise, could get the credit for it. The Republican Party, if it were wise, could get the credit for it, but the organization is not going to let this amendment pass now. They will approve it in conference, when it comes from the Senate.

There is not anything that you could do which would be more beneficial or of greater value to the farmers than to grant this paltry \$100,000 to the Bureau of Standards. Our Agricultural Department has never done anything in this field. We have given it thousands of dollars year after year to find uses for the waste products of the farm but it has never done a thing worth mentioning. The Bureau of Standards has been in this field one year. That is all. We have never given it an appropriation until this present fiscal year and then only this little, paltry \$50,000. However, it has made a wonderful success already. Whenever it finds a valuable use for cotton stalks, burs, corn stalks, for oat and wheat straw, which it is going to do, in making commercial products of value, and making these waste products of great value, inure to the benefit of our producers, it is going to mean everything to the farmers of the country.

I can remember when our cattlemen used to sell their cattle, when their waste products were not used, at a very low figure. I have seen cows and calves, good big calves, sold for \$10 apiece; that is, a cow and a calf. One of my good friends in Texas this year sold his yearlings for \$55 and before they went off of his ranch and were delivered the man to whom he sold them sold them for \$60. Do you know why? Every single thing about that beef is utilized by the packers. There is no waste material. They have found a use for everything about it,

and when you find a use for all of the present waste farm products you are going to do a splendid service for the producers of this country.

I have made the record, and it is up to the gentleman as to what he wants to do.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. SHREVE. Mr. Chairman, of course, I must oppose the amendment. I think I should say for the information of the committee that there is half a million dollars being carried in the Department of Agriculture for this same purpose.

Mr. BLANTON. And it has never done a thing.

Mr. SHREVE. The work of the Bureau of Standards is highly scientific and we are taking care of that work as fast as possible. The Bureau of the Budget did not make any suggestion of a higher appropriation.

Mr. BLANTON. Because it is not interested very much in farming. General Lord is interested in many things, but not in farming.

Mr. SHREVE. Director Burgess has said he is doing a highly technical and scientific work and has money enough.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The amendment was rejected.

The Clerk read as follows:

Appropriations herein made for the Bureau of Standards shall be available for expenses of attendance at meetings concerned with standardization and research, or either, when incurred on the written authority of the Secretary of Commerce.

Mr. SEARS of Florida. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, last year I appeared before the subcommittee and urged an appropriation sufficient to permit the establishment of a branch office of the Bureau of Foreign and Domestic Commerce in Florida.

This branch office was opened at Jacksonville, Fla., and has done and is doing a wonderful work. They have secured much valuable information and I have found them very efficient and we want to thank the committee and the Senate. The impression got out in some way that there were only a few district offices compelled to pay rent. I confess I fell into the error myself. In justice to the committee and in order that the people of Florida may understand the real facts, I want to call the attention of the House to the fact that there are 23 branch offices in the United States, as follows:

Branch offices of the Bureau of Foreign and Domestic Commerce in the United States

City	Building or location	Amount of rental paid per annum
Atlanta	Federal building	None.
Boston	Customhouse	None.
Chicago	76 West Monroe	\$3,600
Des Moines	Federal building	None.
Detroit	Free Press Building	2,500
Galveston	Cotton Exchange Building	None.
Houston	Chamber of Commerce Building	None.
Jacksonville	Greenleaf-Crosby Building	None.
Kansas City	Chamber of commerce	None.
Los Angeles	Chamber of Commerce Building	None.
Louisville	Board of Trade Building	None.
Memphis	Chamber of Commerce Building	None.
Minneapolis	Federal building	None.
Mobile	Meaher Building	None.
New Orleans	Post-office building	None.
New York	Customhouse	None.
Norfolk	406 East Plume Street	None.
Philadelphia	20 South Fifteenth Street	\$2,700
Portland	New post-office building	None.
St. Louis	Liberty Central Trust Co. Building	3,180
San Francisco	Customhouse	None.
Seattle	Skinner Building	2,800
Wilmington	Chamber of commerce	None.

Total amount of rent paid, \$14,780.

In the case of 18 of these offices the Government pays no rent because most of them are located in chamber of commerce buildings, Federal buildings, or in buildings provided by the citizens, as is the case at Jacksonville, Fla., where they rent from Greenleaf & Crosby. There are only five district offices for which the Government pays any rent, the maximum rent being \$3,600 a year for the branch office at Chicago.

I am not complaining because we pay rent for these five offices, but if rent is going to be paid for five, perhaps rent should be paid for all. I understand these offices were secured many, many years ago under the old law, and that is why the rent is being paid in this way. In view of the fact that 18 of

the largest cities of the country, including Jacksonville, furnish the offices free, I could not ask my colleagues to put in this bill an appropriation for rent for a building where this wonderful work is being done in Florida.

The Clerk read as follows:

General expenses: For supplies, including replacement of and necessary additions to existing equipment, repairs, maintenance, and incidental expenses of lighthouses and other lights, beacons, buoyage, fog signals, lighting of rivers heretofore authorized to be lighted, light vessels, other aids to navigation, and lighthouse tenders, including the establishment, repair, and improvement of beacons and day marks, and purchase of land for same; establishment of post lights, buoys, submarine signals, and fog signals; establishment of oil or carbide houses, not to exceed \$10,000: *Provided*, That any oil or carbide house erected hereunder shall not exceed \$1,000 in cost; construction of necessary outbuildings at a cost not exceeding \$1,000 at any one light station in any fiscal year; improvement of grounds and buildings connected with light stations and depots; restoring light stations and depots and buildings connected therewith: *Provided further*, That such restoration shall be limited to the original purpose of the structures; wages of persons attending post lights; temporary employees and field force while engaged on works of general repair and maintenance, and laborers and mechanics at lighthouse depots; rations and provisions or commutation thereof for working parties in the field, officers and crews of light vessels and tenders, and officials and other authorized persons of the Lighthouse Service on duty on board of such tenders or vessels, and money accruing from commutation for rations and provisions for the above-named persons on board of tenders and light vessels or in working parties in the field may be paid on proper vouchers to the person having charge of the mess of such vessel or party; not exceeding \$2,000 for packing, crating, and transporting personal household effects of employees when transferred from one official station to another for permanent duty; purchase of rubber boots, oilskins, rubber gloves, and coats, caps, and aprons for stewards' departments on vessels; reimbursement under rules prescribed by the Secretary of Commerce of keepers of light stations and masters of light vessels and of lighthouse tenders for rations and provisions and clothing furnished shipwrecked persons who may be temporarily provided for by them, not exceeding in all \$5,000 in any fiscal year; fuel, light, and rent of quarters where necessary for keepers of lighthouses; purchase of land sites for fog signals; rent of necessary ground for all such lights and beacons as are for temporary use or to mark changeable channels and which in consequence can not be made permanent; rent of offices, depots, and wharves; traveling expenses, including travel for the examinations authorized by the act entitled "An act to provide for retirement for disability in the Lighthouse Service," approved March 4, 1925; mileage; library books for light stations and vessels, and technical books and periodicals not exceeding \$1,000; traveling and subsistence expenses of teachers while actually employed by States or private persons to instruct the children of keepers of lighthouses; all other contingent expenses of district offices and depots, including the purchase of provisions for sale to lighthouse keepers at isolated stations, and the appropriation reimbursed, and not exceeding \$8,500 for contingent expenses of the office of the Bureau of Lighthouses in the District of Columbia, \$4,275,000.

Mr. BLANTON. Mr. Chairman, I reserve a point of order. I want to ask the chairman in charge of the bill where is the authorization of law for the second proviso on page 79, beginning at line 5?

Mr. SHREVE. This is under the organic act—the general provisions of the law creating this bureau.

Mr. BLANTON. Is not this new matter that the committee has placed in the bill?

Mr. SHREVE. It is not new matter. It is current law and has been carried for more than 10 years. It simply covers the general contingent expenses.

Mr. BLANTON. But it has been enlarged. It is not the same language, is it?

Mr. SHREVE. Yes; I do not think there is a word changed.

Mr. BLANTON. I have not my notes before me, but I was under the impression this was new language.

Mr. SHREVE. No.

Mr. BLANTON. Upon the statement of the gentleman from Pennsylvania [Mr. SHREVE] I will withdraw the reservation.

The Clerk read as follows:

Propagation of food fishes: For maintenance, repair, alteration, improvement, equipment, and operation of fish-cultural stations, including not to exceed \$4,000 to be made immediately available for the construction of trout nursery ponds at Mammoth Springs in Yellowstone National Park, general propagation of food fishes and their distribution, including movement, maintenance, and repairs of cars, purchase of equipment (including rubber boots and oilskins) and apparatus, contingent expenses, temporary labor, and not to exceed \$10,000 for propagation and distribution of fresh-water mussels and the necessary expenses connected therewith, \$503,000.

Mr. TREADWAY. Mr. Chairman, I move to strike out the last word.

It so happens, Mr. Chairman, that one of the fish-cultural stations is located in the district I have the honor to represent, and during the past year I have had occasion to deal with the bureau here quite extensively.

I simply rise at this time to express my appreciation of the manner in which the Commissioner of Fisheries, Mr. O'Malley, is performing his duties, and the splendid spirit with which the employees under him are carrying out the purposes of Congress. I know of no bureau directly reaching the people of our country which is really doing a better work for the welfare of the communities and the States where these hatcheries are located than the Bureau of Fisheries under Commissioner O'Malley. It is not altogether a question of propagation of trout and food fishes for the pleasure of the people, but the fish-cultural work and the food products that are being distributed, as well as the educational features that are being broadcast throughout the country, are well worthy of the praise and the acceptance by Congress of the amounts estimated therefor.

Further than this, it seems to me the work of the bureau is carried out in a manner showing the interest of the bureau in the proper spirit of the employees. I never have seen any indication whatsoever of favoritism being shown to any employee in the bureau or to any particular group of citizens.

All of this, I think, is commendatory of the man in charge, and it is therefore with pleasure that for one, having had dealings with the bureau and seeing the results of the work of those in charge here, as well as of the assistants in the field, I am very glad to add my word of praise of the manner in which the one in charge is administering the appropriations provided by Congress. [Applause.]

The Clerk read as follows:

The appropriation of \$35,000 for the fiscal year 1928 for a fish-cultural station in the State of Oklahoma as an auxiliary to the fish-cultural station at Neosho, Mo., shall continue available for such purpose during the fiscal year 1929.

Mr. HASTINGS. Mr. Chairman, I move to strike out the last word. I want to call attention to this small item on page 89, which establishes a fish-cultural station in the State of Oklahoma. Like the gentleman from Massachusetts [Mr. TREADWAY], I want to commend the Commissioner of Fisheries. I think he is a very efficient man. I hesitate at this time to invite attention to this item. But I want to invite attention not only to that but to three or four items in connection with it.

This appropriation of \$35,000 was in the bill last year. I do not know the exact date of the approval of the act, but anyhow it was before the 3d day of March. The fiscal year began on July 1, 1927. There was only \$35,000 involved in this item in the bill last year. By reading it you find that it is continued for the next year.

The State of Oklahoma is greatly interested in fish culture. We have some splendid fish and game laws. We have a wonderful fish and game warden there doing excellent work who wants to cooperate with the Federal Government. The entire citizenship of my State is interested in the propagation or culture of fish.

I want to express some disappointment that within the last six months the \$35,000 in the appropriation bill of last year has not been expended.

Mr. BLANTON. How did the gentleman get the hand-out from the Committee on Appropriations?

Mr. HASTINGS. It was in the appropriation bill of last year, and I do not know of a better place in the whole country than eastern Oklahoma for the establishment of a fish-cultural station and the expenditure of this sum of money. What I am now taking this time for is to try and impress on the Commissioner of Fisheries that instead of having the money reappropriated for the year 1930 we hope he will see to it that this amount is expended in accordance with the direction of Congress during the next fiscal year.

I have looked up the hearings before the committee, and there is no real excuse given for the nonexpenditure of this money in Oklahoma the past year. As to some of these items, there is some excuse offered because they say that a good title could not be gotten to the land. Anybody knows, however, that in Oklahoma you could find a very large number of places where the people would have given the Government a site and a good title. I wanted to express my disappointment that the money has not been expended the past year, and serve notice on the Commissioner of Fisheries that the Oklahoma delegation will keep an eye on this item for the next year.

Mr. SHREVE. Mr. Chairman, I want to inform the gentleman that there was no disposition on the part of anybody to

retard the work in Oklahoma. On the contrary, the committee last year was particularly interested in giving Oklahoma a fish-cultural station. This was a matter over which the Commissioner of Fisheries had no control. It was the weather conditions that made it impossible for him to do the things he wanted to do. The gentleman's State suffered along with everybody else. The weather retarded work in the spring, and they had no opportunity to go out and get the fish that they put in the ponds until late in the summer, and the work was retarded and hindered during that time.

Mr. HASTINGS. The gentleman means that it was retarded by the excessive floods?

Mr. SHREVE. Yes.

Mr. HASTINGS. I am glad to have this explanation.

Mr. BLANTON. Mr. Chairman, I move to strike out the paragraph. This is a pro forma motion and I shall withdraw it as soon as I have called attention to the fact that it is natural that these various gentlemen who have gotten a hand-out should get up and pay their debt of gratitude. [Laughter.]

I shall never make a point of order against an item for any new fish-cultural station anywhere in the United States, especially where it is far removed from the coast. I know what it means to these States. It is a great boon to them. Not only does the gentleman from Oklahoma get his \$35,000 hand-out—

Mr. HASTINGS. Unfortunately it is not in my district.

Mr. BLANTON. But it is for Oklahoma, and anything that is for Oklahoma the gentleman is for.

Mr. HASTINGS. That goes without saying.

Mr. BLANTON. When I was coming back from Texas after the holidays I met a lawyer from Muskogee, and he said that the Muskogee Congressman was the greatest one that operated on Capitol Hill, and I agreed with him.

I notice that Colorado gets a \$30,000 hand-out from the committee, and Georgia got a \$30,000 hand-out, and also the State of Nebraska has a \$35,000 hand-out.

Mr. SHALLENBERGER. And I would like to call the attention of the committee to the fact that they did not locate any particular place in my State, but that in the southwestern part of the State of Nebraska we have a stream called the Republican River. I suggest that it be located there.

Mr. BLANTON. Oh, the governor will find a proper location for it all right.

Mr. OLIVER of Alabama. And the State of Texas also got a \$35,000 hand-out for a survey.

Mr. BLANTON. For which I am duly thankful, although it is not in my district. Anything for the State of Texas I am for. Wyoming got an \$18,000 hand-out and Michigan got a \$25,000 hand-out, and I am with all of you fellows. I do not blame you for getting up here and voicing gratitude for it. The distinguished gentleman from Massachusetts [Mr. TREADWAY] has been enjoying his handout for several years, and he had to be grateful, too.

But I want to say to the committee that in handing out these handouts to our various friends, they should be a little more generous with the Members of Congress who seek to add a little sum of appropriation here and there that will benefit not any particular State, not any particular district, but the whole country, and that was the kind of an amendment I offered a while ago with respect to the Bureau of Standards' operations, in behalf of all American farmers.

The Clerk read as follows:

#### PATENT OFFICE

For the Commissioner of Patents and other personal services in the District of Columbia in accordance with the classification act of 1923, \$2,600,000: *Provided*, That of the amount herein appropriated not to exceed \$25,000 may be used for special and temporary services of typists certified by the Civil Service Commission, who may be employed in such numbers, at \$4 per diem, as may, in the judgment of the Commissioner of Patents, be necessary to keep current the work of furnishing manuscript copies of records.

Mr. NEWTON. Mr. Chairman, I move to strike out the last word for the purpose of asking about this item regarding the Patent Office. As I recall it, the Patent Office takes in almost enough revenue to pay for the expenses of the office. It is true that for a number of years they have been quite behind in their work down there. Complaint has been made of that. An effort was made a year ago, possibly two years ago, to add to the appropriation for the purpose of enabling them to catch up with their work, or at least not to get further behind. I notice from the hearings that they have had a very large increase in the number of applications, about 3,000, and that as a result of that they are further behind than they were a year ago. At least that is my impression. The committee allowed about \$80,000

more than their last year's appropriation. That is the recommendation of the Budget. I do not find any place in the hearings where the committee asked the commissioner, who is the man who ought to know about it, whether with that additional \$80,000 he would be able not only to keep current with the work but at the same time do something toward catching up with the work.

Mr. SHREVE. Mr. Chairman, the commissioner gave us to understand that he was short of help. We were anxious to help and have been every year, but the growth of the office has been just a little in advance of the appropriations. Two years ago we helped them and a year ago, and this year we have given them \$80,940 for the purpose of employing 46 men above the average; that is, good men. The commissioner informed us that it is hard to keep a man after he gets up to a certain grade because he then wants to get out and do something else.

Mr. NEWTON. About what salary will those 46 men receive?

Mr. SHREVE. They will start, as they all do, at a low sum, about \$1,600 or \$1,800 or \$2,000, and then their progress is rapid if they show a disposition to take hold of the work.

Mr. NEWTON. Here is the situation: They can absorb only about so many new men every year.

Mr. SHREVE. Yes.

Mr. NEWTON. There is a great turnover in the office. If sufficient appropriation is not made for that, so that they can provide for the maximum number that they can absorb, they are never going to catch up. It is a source of considerable comment among the practicing patent lawyers. They have a very efficient Commissioner of Patents and the force is hard-working. It is self-supporting. There ought to be an effort made to give them every dollar that they can use, but apparently that question was not put to the commissioner himself.

Mr. SHREVE. The increase of \$80,940 seemed necessary because of increase in the work: that is, increase in the number of applications this year. The work is now many months behind, particularly in all of the examining divisions, and if this condition is remedied it is imperative that the number of examining divisions be increased. The increase in the appropriation for the fiscal year 1929 will provide the necessary personnel for three additional divisions, which we understand will be sufficient to take care of the work for a while. It is our thought that we have given them enough money so that they will run along comfortably and satisfactorily during the year.

Mr. NEWTON. I know that the committee approached the question sympathetically, but where you have a bureau that is practically self-supporting, bringing revenue into the Government, it ought not to be pinched down in the same way as if it was a load on the Treasury.

Mr. SHREVE. I quite agree with the gentleman.

Mr. MORTON D. HULL. Mr. Chairman, will the gentleman state to the House how far the revenues of the office meet the financial requirements?

Mr. SHREVE. In answer to the gentleman I shall quote from the hearings as follows:

Doctor KINNAN. In past years, Mr. SHREVE, we have turned in a surplus for many years into the Treasury, so that there is \$7,000,000 or so to our credit now, of profit in the patent business in past years.

Mr. ROBERTSON. Until 10 years ago there was a surplus every year since the Civil War, and the aggregate surplus of all those years amounted to \$7,082,400.50 on June 30, last, after deducting the deficits of the last several years. In addition to that, I believe the Patent Office Building was paid for out of Patent Office funds. So, the Patent Office has been a real going concern until the last few years, when, owing to increases in printing costs and increases in salaries, we have had a deficit, as I said, the past year amounting to \$245,000. The year before it was \$400,000.

The CHAIRMAN. The time of the gentleman has expired, and the Clerk will read.

The Clerk read as follows:

Operating mine rescue cars and stations: For the investigation and improvement of mine rescue and first-aid methods and appliances and the teaching of mine safety, rescue, and first-aid methods, including the exchange in part payment for operation, maintenance, and repair of mine rescue trucks, the construction of temporary structures and the repair, maintenance, and operation of mine rescue cars and Government-owned mine rescue stations and appurtenances thereto, including the purchase and equipment of one mine rescue car not to exceed \$45,000, and including personal services, traveling expenses and subsistence, equipment, and supplies, including the purchase and exchange in part payment therefor of cooks' uniforms, goggles, gloves, and such other articles or equipment as may be necessary in the operation of mine rescue cars and stations, including not to exceed \$14,140 for personal services in the District of Columbia, \$342,830: *Provided*, That of this

amount not to exceed \$500 may be expended for the purchase and bestowal of trophies in connection with mine rescue and first-aid contests.

Mr. BLANTON. Mr. Chairman, on page 96, lines 17, 18, 19, and 20, beginning with the word "Provided," I make the point of order that it is legislation unauthorized on an appropriation bill.

The CHAIRMAN (Mr. HAWLEY). The gentleman from Texas makes the point of order on lines 17 to 20. Does the gentleman from Pennsylvania [Mr. SHREVE] desire to be heard?

Mr. SHREVE. It has been carried heretofore.

Mr. BLANTON. I know; but it is legislation just the same. There is no law for it.

Mr. SHREVE. It is merely a limitation.

Mr. BLANTON. Oh, no. It is an express authorization without law. It is not a limitation at all. It is an express authorization.

Mr. SHREVE. It is a limitation on the life-saving branch of the service.

Mr. BLANTON. It is an express authorization to spend money without legal authority for it, Mr. Chairman.

The CHAIRMAN. Does the gentleman from Pennsylvania refer to any legislation authorizing this?

Mr. SHREVE. There is no legislation for it. It is just carried on. It is an item that has been in the bill heretofore.

The CHAIRMAN. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

Oil, gas, and oil-shale investigations: For inquiries and investigations and dissemination of information concerning the mining, preparation, treatment, and utilization of petroleum, natural gas, and oil shale, including economic conditions affecting the industry, with a view to economic development and conserving resources through the prevention of waste; for the purchase of newspapers relating to the oil, gas, and allied industries: *Provided*, That section 192 of the Revised Statutes shall not apply to such purchase of newspapers from this appropriation; and for every other expense incident thereto, including supplies, equipment, expenses of travel and subsistence, purchase, exchange as part payment for, maintenance, and operation of motor-propelled passenger-carrying vehicles, \$198,260, of which amount not to exceed \$25,000 may be expended for personal services in the District of Columbia.

Mr. BLANTON. Mr. Chairman, I make a point of order against the following language on page 98, beginning in line 6:

*Provided*, That section 192 of the Revised Statutes shall not apply to such purchase of newspapers from this appropriation.

That is legislation unauthorized on an appropriation bill. It seeks to change our present Revised Statutes.

Mr. SHREVE. The gentleman is correct.

The CHAIRMAN. The point of order is sustained.

Mr. HOWARD of Oklahoma. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Oklahoma offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. Howard of Oklahoma: Page 98, line 12, after the word "vehicle," strike out "\$198,260" and insert in lieu thereof "\$210,760."

Mr. HOWARD of Oklahoma. Mr. Chairman and Members of the Congress, I hope I may have your attention for a moment, because I want to call your attention to a matter in which every one of you is interested. In offering this amendment I want to apologize to the committee which wrote this bill for not having taken the matter up with the committee. The fact is that before it was called to my attention the Budget was made up and the committee was ready to make their report. I am sure if I had appeared before the committee on this matter I would have received the courteous treatment we all receive when we appear before them on other matters.

What I am seeking to do is to add the sum of \$12,500 to the appropriation for the Bureau of Mines for investigating the matter of using gas in bringing from the earth more of the crude petroleum deposited in the sands thereof. I want to call your attention, Mr. Chairman and members of the committee, to the fact that to-day, under the old method, without scientific investigation, although the United States is producing over 2,000,000 barrels of oil daily, we are actually, according to the Bureau of Mines, recovering only 20 per cent of the oil deposits in the oil-bearing sands in the oil fields. It is estimated by the Bureau of Mines and by experts that through the use of gas in forcing the oil through the sands and into the wells that have been drilled already an increase of 20 per cent in the recovery of oil could within a very short time be brought about.

Now, Mr. Chairman and members of the committee, let us see what that means to the people of the United States. Back yonder, in the days before the automobile industry was developed, when we used a little gasoline only for cleaning clothes, and things like that, according to the Bureau of Mines the recovery of gasoline from crude oil was only 6 to 8 per cent. Since we have begun to use it and since the Congress and others have furnished the money to make these scientific investigations, the recovery from a barrel of crude oil, of gasoline—a commodity that is growing in use in this country every day—has increased to 38 per cent of that barrel of crude oil. If we have increased, by making scientific investigations, the amount of gasoline taken from a barrel of crude oil from 8 per cent to 38 per cent, certainly that has been of economic value. If we can increase the amount of production of oil by giving our Bureau of Mines the money with which to study this problem and bring forth 20 per cent more of oil, it amounts, my friends, to 483,950 barrels a day that can be, or should be, and must be, brought from the earth to finally meet the demands of the automobile industry and the demand for other petroleum products.

Not only that, but I want to call your attention to the effect of scientific study in the matter of the production of oil and gas.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. HOWARD of Oklahoma. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent to proceed for five additional minutes. Is there objection?

There was no objection.

Mr. HOWARD of Oklahoma. I want to call your attention, if I may, to the fact that when the great Cushing oil field was discovered and developed there was no provision for using the gas from producing oil wells, and that on a damp day it was dangerous to drive through the field by reason of escaping gas. The Bureau of Mines made a study of this situation. They were in the forefront in the effort to utilize this gas. They suggested formulas and machinery that could be used to convert this natural gas into gasoline, with the result that last year this casinghead gas was converted into 1,000,000,000 gallons of gasoline. Had it not been for scientific research, such as I am asking for in this amendment, this gas would have gone to waste and been lost forever and the price of gasoline last year would probably have been higher to the consumers. If we have had that result, can we not now justify ourselves in making a little further appropriation to go further into a scientific investigation pertaining to this useful and much-needed commodity?

Let me say this to you also as a further argument: The Bureau of Mines informs me that to-day the crude-oil production is coming from practically only 2 per cent of the wells that have been drilled in the United States. Why? Because there are 300,000 or 400,000 little wells producing a barrel or 2 barrels per day that are not paying their operators. The result is that unless some means are taken to increase the production and get some more of this oil out of the ground that is being left there they must be plugged by their operators and forever put out of existence. When you plug one of those wells, and when you quit operating one of them, water breaks in and then the 40 or 60 per cent of the oil you are not getting to-day is drowned out and gone from the people of the United States forever.

I also call your attention to the fact that the United States Government, on the production of petroleum, on the refining of petroleum, and in studying the great petroleum industry spends only \$198,260 per year. I am asking you for \$12,500 more in order that the Bureau of Mines may begin a study of the proposition, and in order that the Bureau of Mines may provide a method for lifting out more of this oil, bringing it to your constituency, and saving to the people more of this great natural resource.

To-day I ask for an additional \$12,500, explaining that I did not present it to the committee. I present it to-day, because so long as there is delay and so long as there is no method brought forth to bring out this additional amount of oil these small wells, which could be preserved, will be plugged, and any delay means a loss of oil and means a loss of petroleum products to the entire Nation.

The CHAIRMAN. The time of the gentleman from Oklahoma has again expired.

Mr. SHREVE. Mr. Chairman, I am compelled to disagree with the gentleman. We have a regular and orderly procedure in the House which the gentleman did not follow in this case. I will mention that first. In addition to that, the Director of the Bureau of Mines has made no recommendation in favor of

the proposition the gentleman presents to the committee. The committee having the matter in charge has not considered it, because it has not been brought before us; the Bureau of the Budget has not considered it; and, as a matter of fact, nobody has considered it.

I want to say to the gentleman that \$198,000 is carried in the bill for matters of this kind, and there is money enough now to take care of the investigation the gentleman would like to have made.

Mr. HOWARD of Oklahoma. I do not want to quarrel with the gentleman, but I want to call attention to the fact that the appropriation is the same as it was last year.

Mr. SHREVE. Yes; it is the same; but they have worked out a lot of propositions they had last year and are now ready to take up the gentleman's proposition if there is sufficient merit in it.

Mr. HOWARD of Oklahoma. I want to say to the gentleman that the "gentleman from Oklahoma" never presents to the House any proposition in which there is not some merit.

Mr. SHREVE. Of course, I realize that.

Mr. HOWARD of Oklahoma. I want to call attention to the fact that this thing is so important that the State Legislature of Oklahoma, which contributes a part of this money, raised its appropriation last year in the same amount.

Mr. SHREVE. If it is as important as the gentleman suggests it is, he can rest assured the Bureau of Mines will discover it before long.

Mr. HOWARD of Oklahoma. Will the gentleman yield further?

Mr. SHREVE. Yes.

Mr. HOWARD of Oklahoma. I want to state, as I have stated before, that I did not present the matter to the committee, but when the gentleman speaks about the Bureau of Mines not mentioning it, I want to call attention to the fact that we have a condition prevailing around here where a man in the department will say, "I can not even mention it to the committee unless they ask me about it."

Mr. SHREVE. That practice does not obtain in our department.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma.

The question was taken; and on a division (demanded by Mr. HOWARD of Oklahoma) there were—ayes 18, noes 64.

So the amendment was rejected.

The Clerk read as follows:

Oil-shale investigations: For development of oil shale, including purchase or mining and transportation of shale, operation, repairs, and alteration of plant, the construction, maintenance, and repair of necessary camp buildings and appurtenances thereto, and the alteration, operation, and maintenance of experimental refinery, and for all necessary expenses incident thereto, including personal services, supplies, equipment, traveling expenses, the purchase, not exceeding \$1,200, operation, maintenance, repair, and exchange in part payment for, of motor-propelled, passenger-carrying vehicles, \$75,000, of which amount not to exceed \$6,000 may be expended for personal services in the District of Columbia.

Mr. KETCHAM. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the subcommittee a question.

I have taken this paragraph as a type of many paragraphs that occur in this bill as the basis of the inquiry which I am about to make. I do this because of the fact that I have gone through the record of the hearings and I think the procedure of the committee is exactly as I would like to see it with reference to every one of the items. The point I have in mind is this: With these recurring appropriations that provide for investigations almost without number in this and in other bills, is it the practice of the Committee on Appropriations each time one of these items is reached to carefully interrogate the people involved to see whether or not there is a real purpose served by the investigational work that is provided for? Please bear in mind, Mr. Chairman, I picked this out because I have gone over your record and find your procedure is exactly in line with this thought in this particular case. Is this true with reference to every item?

Mr. SHREVE. I am very pleased to inform the gentleman, because the committee is rather proud of the work it is doing, that it is the practice of the committee to examine every single item that comes before it, regardless of whether we had it last year or the year before or at any other time; and in the case the gentleman refers to as an example, we cut off the appropriation entirely not very long ago and only left enough money to guard the property; but later on we concluded to go on with the investigation. These matters are all carefully considered by every member of the committee.

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Mr. KETCHAM. Does the gentleman think that is the practice with reference to every subcommittee of the Committee on Appropriations?

Mr. SHREVE. Every committee I know anything about. The appropriating committees, with the exception of our own, are the most hard-worked committees in the House.

Mr. KETCHAM. The difficulty, of course, is that when one of these investigational propositions is launched and supported by a very tangible appropriation it is a very difficult matter to get it out of the way unless there is very careful interrogation every year.

Mr. SHREVE. We realize that.

Mr. BLANTON. Will the gentleman yield?

Mr. KETCHAM. Yes.

Mr. BLANTON. Did I misunderstand the gentleman, or do I understand him to say that his committee is one of the most hard-boiled committees?

Mr. SHREVE. No.

Mr. BLANTON. Or hard worked?

Mr. SHREVE. I said our committee was the exception. I said the other committees were hard working, but the subcommittee of which I have the honor of being the chairman, handling four great departments of the Government, has enough work to keep it busy for over two months in preparing the bill for presentation to the House.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Persons employed during the fiscal year 1929 in field work outside of the District of Columbia under the Bureau of Mines may be detailed temporarily for service in the District of Columbia for purposes of preparing results of their field work; all persons so detailed shall be paid in addition to their regular compensation only traveling expenses in going to and returning therefrom: *Provided*, That nothing herein shall prevent the payment to employees of the Bureau of Mines of their necessary expenses, or per diem in lieu of subsistence, while on temporary detail in the District of Columbia for purposes only of consultation or investigations on behalf of the United States. All details made hereunder, and the purposes of each, during the preceding fiscal year shall be reported in the annual estimates of appropriations to Congress at the beginning of each regular session thereof.

Mr. BLANTON. Mr. Chairman, I make a point of order against the language contained in the proviso beginning on page 99, line 24, and embracing the language down to and including line 8, on page 100, as being legislation unauthorized on an appropriation bill and an attempt to change existing law. There is no law authorizing this.

The CHAIRMAN. I would like to ask the gentleman from Texas a question. Does the gentleman from Texas contend it is unlawful or there is no authority to pay employees detailed or summoned to the District of Columbia for the purpose of consultation their necessary expenses or per diem?

Mr. BLANTON. Their per diem and subsistence, no. There is no law at present authorizing that, and every time there has been an attempt to transfer employees from the field to the District of Columbia by the departments they have come here with this kind of a proposition to except them from the provisions of the law. You will see that under these provisions first you can not do it and then they provide that you can do it.

Mr. SHREVE. Mr. Chairman, the general subsistence act covers all this.

The CHAIRMAN. There is ample law to pay the expenses of Government employees for traveling under direction of the Government and on Government business. This proviso merely insures that nothing else in the section shall prevent such payment which is otherwise authorized by law. The Chair therefore overrules the point of order.

Mr. BLANTON. Then this is surplusage, Mr. Chairman.

The Clerk read as follows:

Government fuel yards: For the purchase and transportation of fuel; storing and handling of fuel in yards; maintenance and operation of yards and equipment, including motor-propelled passenger-carrying vehicles for inspectors, purchase of equipment, rentals, and all other expenses requisite for and incident thereto, including personal services in the District of Columbia, the unexpended balance of the appropriations heretofore made for these purposes is reappropriated and made available for such purposes for the fiscal year 1929, and for payment of obligations for such purposes of prior years, and of such sum not exceeding \$500 shall be available to settle claims for damages caused to private property by motor vehicles used in delivering fuel: *Provided*, That all moneys received from the sales of fuel shall be credited to this appropriation and be available for the purposes of this paragraph: *Provided further*, That the requirements of sections 3711 and

3713 of the Revised Statutes relative to the weighing of coal and wood and the separate certificate as to the weight, measurement, or quantity of coal and wood purchased shall not apply to purchases by the Government fuel yards at free-on-board destinations outside of the District of Columbia.

Mr. BLANTON. Mr. Chairman, I make a point of order, first, as to the language embraced on page 101, beginning in line 3—

*Provided*, That all moneys received from the sales of fuel shall be credited to this appropriation and be available for the purposes of this paragraph—

because it is legislation unauthorized by law, and should come out of the bill.

And, also, I make a point of order to the second proviso—

*Provided, further*, That the requirements of sections 3711 and 3713 of the Revised Statutes relative to the weighing of coal and wood and the separate certificate as to the weights, measurement, or quantity of coal and wood purchased shall not apply to purchases by the Government fuel yards at free-on-board destinations outside of the District of Columbia—

because it is likewise legislation unauthorized on an appropriation bill, and should come out on point of order.

The CHAIRMAN. The points of order are sustained.

The Clerk read as follows:

During the fiscal year 1920 the head of any department or independent establishment of the Government having funds available for scientific investigations and requiring cooperative work by the Bureau of Mines on scientific investigations within the scope of the functions of that bureau and which it is unable to perform within the limits of its appropriations may, with the approval of the Secretary of Commerce, transfer to the Bureau of Mines such sums as may be necessary to carry on such investigations. The Secretary of the Treasury shall transfer on the books of the Treasury Department any sums which may be authorized hereunder, and such amounts shall be placed to the credit of the Bureau of Mines for the performance of work for the department or establishment from which the transfer is made: *Provided*, That any sums transferred by any department or independent establishment of the Government to the Bureau of Mines for cooperative work in connection with this appropriation may be expended in the same manner as sums appropriated herein may be expended.

Mr. BLANTON. Mr. Chairman, I make a point of order against the entire paragraph, beginning on page 105 at line 11 and extending to and including line 4 on page 106, as being legislation unauthorized on an appropriation bill and an attempt to change existing law.

There is no law now which authorizes a transfer from one department to another of unexpended balances, and this is a dangerous policy, I may state to my friend from Pennsylvania, and to the floor leader and the Members of the House, for us to embark upon—to permit all the departments, if they want to do so, to transfer their unexpended balances to any other department. It occurred here a few years ago that during the month of June a certain chief of an independent establishment found he was going to have an unexpended balance on hand July 1; he picked out a whole bunch of his favorite employees and divided that sum among them, which increased their salaries a certain amount for the month of June only. This was done just to use up the money before the end of the fiscal year, and it is something that ought not to occur.

Mr. SHREVE. Mr. Chairman, that does not occur under these appropriations.

Mr. BLANTON. It could occur.

Mr. SHREVE. This is a very necessary provision. If one of the departments has some investigations they want conducted, for instance, by the Bureau of Mines, it is given to the bureau and they do the investigating, and the work is done just the same as such work is done by any other bureau.

Mr. BLANTON. Where is the authority of law for this?

Mr. SHREVE. We do not need any authority for it.

Mr. BLANTON. It is an invasion of the present law.

Mr. SHREVE. It may be an invasion, but it is a rightful invasion. It is rendering a valuable service. Does the gentleman want to prevent these departments from cooperating?

Mr. BLANTON. We are not discussing the merits of it; we are discussing the lawful authority for it. I submit, Mr. Chairman, that there is no law that authorizes the transfer of balances.

The CHAIRMAN. The Chair would inquire of the gentleman from Texas whether a department or an independent establishment of the Government having funds available for scientific work has not the right to expend it for that purpose?

Mr. BLANTON. They have a right to expend it, but they have not the right to transfer it to some other department unless Congress authorizes it by legislation.

The CHAIRMAN. Instead of paying it to an outside agency might they not pay it to the Bureau of Mines?

Mr. BLANTON. I think not without authority of law. This money is appropriated to a certain department.

The CHAIRMAN. If they pay it to the Bureau of Mines for the work, does it not come within the appropriation?

Mr. BLANTON. They have to have a law to transfer it. The Chair is a good parliamentarian. We are appropriating money, say, for the Navy or the Army for scientific purposes. No one would contend that the department could turn over an unexpended balance to another department without authority of law.

The CHAIRMAN. It is not turning money over to another department to use as it sees fit. If the Navy Department was to do a certain piece of work, it would be authorized to expend the money for that purpose and they could have it done anywhere else. If it hires another department to do the work, it is a lawful expenditure of the money.

Mr. BLANTON. It does not hire it; it turns the money over to that department for it to expend.

The CHAIRMAN. Only for that purpose for which the money is appropriated. The money is received by the Bureau of Mines for that purpose.

Mr. BLANTON. It is a dangerous practice to establish here; it is a dangerous departure from the present rules and regulations.

Mr. TILSON. The usual test is whether the thing proposed can be done without the provision. I have no doubt that a department or bureau having money to expend for a certain object can have another department or bureau perform that service without this provision the same as it could hire an outside individual to do it. The paragraph in the bill is a provision to enable the transfer on the books of funds from one department to another. The original department secures the performance of a lawful work for which it can lawfully expend the money, and this is only a matter of convenience between the different departments in their bookkeeping.

Mr. BLANTON. The gentleman must remember that this may come up in the future to plague him, because if you pass this provision with these arguments and the statement from the Chair and the statement from the Republican floor leader, you will find that the departments will indiscriminately turn over balances.

Mr. TILSON. I think the gentleman has not read the provision carefully. It is not an indiscriminate turning over of any funds. It allows one bureau or department to have work done that another bureau or department is prepared to do, and the transfer is simply on the books.

Mr. SHREVE. The gentleman from Connecticut is absolutely right and the practice has been such for 30 years.

The CHAIRMAN. In addition to what the Chair has said, this refers to money appropriated to be expended by any department or independent establishment of Government having funds available for scientific investigation, and this is expending the money for the purposes for which it was appropriated. The money is expended by getting the Bureau of Mines to do the work. In other words, it turns over the money appropriated to the Bureau of Mines for the purpose of doing the work for which the money was appropriated. It is not in any sense legislation, but a direction by Congress as to the manner in which the money appropriated by Congress for a certain purpose should be expended by the department. The Chair overrules the point of order.

Mr. COLTON. Mr. Chairman, I move to strike out the last word in order to ask the chairman of the subcommittee a question. If I am correctly informed, the item on page 105 cuts the appropriation \$25,000 from the amount requested and approved by the Budget. This is a work of so much importance that I wondered if the gentleman is convinced that this amount will give the bureau all that it needs for the purpose.

As I read the hearings, two or three of the Secretaries recommended a higher amount. I ask the gentleman whether he thinks the amount here given is sufficient to carry on this work, or was there some particular reason for making the cut from the amount recommended.

Mr. SHREVE. The committee made a careful study of it in the last year, and continued the study this year, and from the best information we can get we have appropriated sufficient funds to carry on the work.

Mr. COLTON. I notice the heads of two or three departments recommended an addition of \$25,000, and that that amount was approved by the Budget.

Mr. SHREVE. That met with the approval of the full committee.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

For the purchase or exchange of professional and scientific books, law books, and books to complete broken sets, periodicals, directories, and other books of reference relating to the business of the Bureau of Mines, there is hereby made available from any appropriations made for such bureau not to exceed \$3,500;

Total, Bureau of Mines, \$2,532,080.

Mr. BLANTON. Mr. Chairman, I move to strike out the last paragraph. This completes the consideration of the appropriations for the Department of Commerce. I want to call the attention of the House to the increased expenses in this department for the past few years. It would not be fair, I take it, to compare the present expenditures with those preceding the war, because the war opened up new expenditures. I shall take, therefore, one of the peak years after the war, which embraces all of the increase in salaries, and so forth. I take the year 1922. In the fiscal year 1922 we appropriated for this department \$22,496,745. That amount embraces the appropriations for both the Patent Office and for the Bureau of Mines.

Mr. NEWTON. They were not in the Department of Commerce in 1922.

Mr. BLANTON. They were not in the department then, but they are now, and to be fair I am adding the amount that was appropriated for them. For 1922 we gave the Department of Commerce \$18,651,805; we gave the Patent Office \$2,264,040; and we gave the Bureau of Mines \$1,580,900, totaling \$22,496,745. That was the total appropriation for the peak year 1922. For this year, under our distinguished Secretary of Commerce, Mr. Hoover, we are about to expend \$36,630,450. There is a difference of approximately \$15,000,000. It will be remembered that in 1922, the peak year, embracing both the Bureau of Mines and the Patent Office, the total expenditures were only \$22,496,745; and yet this next fiscal year we are increasing that amount by approximately \$15,000,000.

Mr. NEWTON. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. NEWTON. Would the gentleman like to cut out any particular portion of the \$36,000,000?

Mr. BLANTON. Yes. It just shows extravagance.

Mr. NEWTON. Where is the extravagance?

Mr. BLANTON. I am going to leave that for the taxpayers of the United States to determine.

Mr. NEWTON. That is a very safe place for the gentleman to leave it.

Mr. BLANTON. The taxpayers know of the increases that we gave the department, that were embraced within the fiscal year 1922, and they will compare those expenditures in that peak year with this amount of \$36,000,000. You can say that it is necessary, and that you are in a hurry to adjourn tonight, but it is also necessary that we as the representatives of the people should call their attention to what is going on here in Washington all of the time. Some of these days I am going to read into this Record the correspondence that I had with your Mr. Secretary Hoover, when our President Wilson appointed him Food Administrator and he rented the Gordon Hotel on Sixteenth Street as his administration building. One of your distinguished Republicans on the Republican side of the aisle at that time got up and crucified him because of extravagance in paying so much more rent for that Gordon Hotel than the then occupant had been paying. I shall put into the Record the letter that I wrote to Mr. Hoover, hoping to be able to defend him on the floor against the Republican accusations, and his reply in which he said not only had he paid the amount for the Gordon Hotel that the gentleman had accused him of, but that he had paid nearly one-third more than that Republican statesman had knowledge of. I shall read that into the Record at a future time.

The CHAIRMAN. The time of the gentleman from Texas has expired, and the Clerk will read.

The Clerk read as follows:

Traveling expenses of special agents and employees; experts and temporary assistance for field service outside of the District of Columbia, to be paid at the rate of not exceeding \$8 per day; personal services in the District of Columbia not to exceed \$29,500, including also temporary statistical clerks, stenographers, and typewriters in the District of Columbia, to be selected from civil-service registers, the same person to be employed for not more than six consecutive months; traveling expenses of officers and employees, purchase of periodicals, documents, price quotations, and reports and materials for reports and bulletins of the Bureau of Labor Statistics, \$80,000: *Provided*, That the Commissioner of Labor is authorized to collect statistical reports through local special agents paid on piece-price basis.

Mr. BLANTON. Mr. Chairman, I make the point of order against the proviso, which seeks to change the present law. It is unauthorized on an appropriation bill.

The CHAIRMAN. Does the gentleman refer to the proviso on line 16, page 109?

Mr. BLANTON. Yes; lines 16 to 19. It seeks to change the law in reference to the manner in which employees shall be paid.

The CHAIRMAN. Does the gentleman maintain that there is any law that now prohibits the Commissioner of Labor from collecting statistical reports through special agents paid on piecemeal prices?

Mr. BLANTON. Yes. He has authority only through regularly employed agents provided for by classification.

The CHAIRMAN. Can the gentleman direct the Chair's attention to any such statute?

Mr. BLANTON. It is the general organic law of every department, but there is no organic law which authorizes the employment of agents by piece price. I call the Chair's attention to this. This language would permit a department to pay any salary it wanted to these agents. It leaves it discretionary with the department as to what it shall pay. There is no law that authorizes that at all.

Mr. SHREVE. Mr. Chairman, we will read the law. I read:

Functions of bureau, powers of Secretary of Labor: The Bureau of Labor Statistics, under the direction of the Secretary of Labor, shall collect, collate, and report at least once each year, or oftener if necessary, full and complete statistics of the conditions of labor and the products and distribution of the products of the same, and to this end said Secretary shall have power to employ any or either of the bureaus provided for his department and to rearrange such statistical work and to distribute or consolidate the same as may be deemed desirable in the public interests; and said Secretary shall also have authority to call upon other departments of the Government for statistical data and results obtained by them; and said Secretary of Labor may collate, arrange, and publish such statistical information so obtained in such manner as to him may seem wise.

Mr. BLANTON. And nowhere does it provide that he shall employ agents and have such work done by piecework. It provides only that he may use the regular employees, who are to be paid as fixed by the classification act. That law is plain. And my point of order should be sustained.

The CHAIRMAN. The gentleman can not refer the Chair to any provision authorizing the employment of these persons as agents on a piecework basis?

Mr. SHREVE. This is the only law on the subject, Mr. Chairman.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

Regulating immigration: For enforcement of the laws regulating immigration of aliens into the United States, including the contract labor laws; cost of reports of decisions of the Federal courts, and digests thereof, for the use of the Commissioner General of Immigration; salaries and expenses of all officers, clerks, and employees appointed to enforce said laws, including not to exceed \$167,000 for personal services in the District of Columbia, together with persons authorized by law to be detailed for duty at Washington, D. C.; traveling expenses; maintenance expenses of insane alien deportees detained abroad while en route to the country of destination; enforcement of the provisions of the act of February 5, 1917, entitled "An act to regulate the immigration of aliens to and the residence of aliens in the United States," and acts amendatory thereof and in addition thereto; necessary supplies, including exchange of typewriting machines, alterations and repairs, and for all other expenses authorized by said act; preventing the unlawful entry of aliens into the United States, by the appointment of suitable officers to enforce the laws in relation thereto; expenses of returning to China all Chinese persons found to be unlawfully in the United States, including the cost of imprisonment and actual expenses of conveyance of Chinese persons to the frontier or seaboard for deportation; refunding of head tax, maintenance bills, and immigration fines upon presentation of evidence showing conclusively that collection was made through error of Government officers; all to be expended under the direction of the Secretary of Labor, \$7,110,000: *Provided*, That \$1,755,000 of this amount shall be available only for coast and land-border patrol: *Provided further*, That the purchase, exchange, use, maintenance, and operation of motor vehicles and allowances for horses, including motor vehicles and horses owned by immigration officers when used on official business required in the enforcement of the immigration and Chinese exclusion laws outside of the District of Columbia, may be contracted for and the cost thereof paid from the appropriation for the enforcement of those laws, under such terms and conditions as the Secretary of Labor may prescribe: *Provided further*, That not more than \$150,000 of the sum appropriated herein may be expended in the purchase and maintenance of such motor vehicles, and of such sum of \$150,000 not more than \$125,000 shall be available for the purchase and maintenance of motor vehicles for coast and land-border patrol.

Mr. JOHNSON of Washington. Mr. Chairman, I have an amendment which I desire to offer.

The CHAIRMAN. The gentleman from Washington offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Washington: Page 111, line 8, after the word "Labor," strike out "\$7,110,000" and insert "\$7,610,000," and on line 9 strike out "\$1,755,000" and insert "\$1,955,000."

Mr. JOHNSON of Washington. Mr. Chairman, the amount requested of the Budget Bureau by the Department of Immigration for the entire expenditures under this title, regulating immigration, including the whole subject, you will find on page 110, beginning on line 5, and all of page 111, was \$7,800,000. The committee has recommended to the House \$7,110,000, of which \$1,150,000 shall be available only for coast and land border patrol. My amendment, which has to change the figures in two places, calls for an addition of \$500,000, so that the \$7,110,000 sum would read "\$7,610,000, of which \$1,955,000 shall be available only for coast and land patrol." In other words, the amendment proposes an addition for the enforcement of the immigration law of \$500,000, of which \$200,000 shall be for the enlargement of the border patrol.

Gentlemen, you would be very much interested to know what the border patrol has done. We can not give all the proposed additional money to the border patrol, because the patrolmen are policemen and not warrant officers, and whenever they make arrests other officers are required to carry out the next steps. But in the last year, even though at times they had to mark time, they examined 1,250,000 vehicle passengers and a large number of pedestrians, and 492,000 automobiles, and so on; they apprehended 19,322 persons; captured 12,000 smuggled aliens, and more important than all that they captured 832 smugglers of aliens. They captured 786 automobiles and a number of boats and other vehicles of transportation, which they had to turn over to the various other agencies—prohibition, narcotic, agricultural, justice, and so forth.

Mr. HUDSPETH. Mr. Chairman, will the gentleman yield there?

Mr. JOHNSON of Washington. Yes.

Mr. HUDSPETH. As to these automobiles which they captured, of course they had to sell those and the money went into the Treasury?

Mr. JOHNSON of Washington. Most of them went to the Treasury and Justice Departments, and they made the sale. There is no law for the Immigration Service to hold them for its own use.

Mr. HUDSPETH. Therefore it is necessary to raise the appropriation so that we can have an adequate force with which to do the work?

Mr. JOHNSON of Washington. Yes. I admit that the subcommittee has been as liberal as it thought it could be. I submit that this amendment is not an unreasonable sum. An additional \$500,000 for the enforcement of the law that we have enacted in the hope of keeping aliens out of the country is not much. We must stop the alien-smuggling system. The entire Immigration Service comes within \$1,900,000 of paying all its expenses, and if we were to include the money coming from the Naturalization Service that cost sum would be reduced. Immigration visa procedure also brings in other great sums not counted here. Through the head tax and through fines on steamships and others something like \$5,000,000 comes back in the Federal Treasury, but not to the immigrant fund as it was in the old days. The opening of the Peace Bridge at Buffalo necessitated an increase of \$50,000 in the cost in immigration.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. JOHNSON of Washington. I am sorry I have not more time.

Mr. HUDSPETH. Does the gentleman want additional time?

Mr. JOHNSON of Washington. No; I shall not ask for it.

Mr. SHREVE. Mr. Chairman, I wish to oppose the amendment offered by the gentleman from Washington [Mr. JOHNSON]. The committee has given this matter very careful investigation. The committee spent several months last summer in making a personal examination and investigation on the borders to find out just what the alien situation is. When we came home and at the first meeting of the committee we made up our minds to increase the amount of the appropriation, and we recommended an increase of \$235,000 over the amount fixed by the Bureau of the Budget.

I would like to repeat just what the Assistant Secretary, Mr. White, said. Before the committee the other day he said, in answer to a question whether he had any idea as to how many

aliens there are in this country to-day that really ought to be deported under existing law:

Mr. WHITE. No; I have not.

Mr. TAYLOR. Have you any way of estimating it?

Mr. WHITE. My guess is just as valuable as any other man's, probably, and there are all sorts of guesses; everybody is making a guess at the number. All I can tell you is there are thousands of them.

Mr. BOX. He said they were just scratching the surface.

Again I read:

Mr. BOX. To what extent are we meeting the demands for deportation; that is, those covered by the law? You say we are getting out 12,000, and if we had the increased appropriation mentioned you could increase that approximately 10 per cent. Will that take care of the work that ought to be done under the present law, Mr. Secretary?

Mr. WHITE. Oh, no; we are taking care of the institutional cases now very satisfactorily. As to cases outside of institutions, we are not even scratching the surface.

Mr. BOX. That is how I feel about that.

Mr. WHITE. Yes.

Mr. BOX. You would not say we are not doing half of it, but then you know we are doing nothing like all of it?

Mr. WHITE. No; I have not any idea how much of it could be done; all I know is that according to my best judgment, you could use an appropriation easily of \$10,000,000 for immigration and it could be used economically and efficiently; but that would require a much larger organization to do it.

You must build up more machinery, and it will take a year or two to get started with it. This committee should get to work and bring out new legislation which will provide for and take care of these things. I believe there are enough old-fashioned men in this House like myself who believe that the appropriation should follow legislation and not anticipate it, and if we allowed this extra \$500,000 we are simply anticipating the facts, because they have no machinery to administer it.

Mr. JOHNSON of Washington. There is no law to say that there shall be 500 border patrolmen?

Mr. SHREVE. No.

Mr. JOHNSON of Washington. And we find in the first year the border patrol existed it turned back 11,000 or 12,000. We have the figures here.

The figures are all here. Now, then, it is not anticipation to say that with a small increase in the force—we are not asking you to readjust the pay—they will do still more and keep these people out of the jails of the towns, keep them out of the machinery of actual deportation, do wonders in that way, and in the long run be a great economy.

Mr. SHREVE. Mr. Chairman, after making this careful survey last year we feel we have granted all that should be granted for this service. We had heard there were all kinds of people coming across the border, but I want to say that the number coming across is comparatively small. This very highly efficient organization which the Department of Labor has created along the border is keeping men out. As I said the other day, down in San Antonio, in the matter of two or three months, there were 1,900 of them sent back and 500 more sent out by the customs office and other agencies, the narcotic service, and other services. So these men are being kept out. We talked to the men along the border and we got our information from them; we got information from the immigration men and from the farmers, and I want to say that in the farming section the farmers are rendering most valuable assistance. Everybody agreed that these men were being kept on their own side of the border.

Mr. BOX. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Texas is recognized for five minutes.

Mr. BOX. Mr. Chairman, ladies, and gentlemen of the committee, it is unquestionably true, as stated by members of the committee, that the Assistant Secretary of Labor testified before our committee that the fund as now being provided, with the increase carried in this bill, will take care of the work of the present organization. The gentleman states that accurately. In the brief time I have I will call the attention of the committee to the situation with reference to that organization and its work. The work done during the present year was not nearly adequate because the funds provided by last year's appropriation were not sufficient. Much of the time they could not work for lack of expense money. For some three or four months they were unable to carry forward the work they ought to have been doing. They say the present organization is utterly inadequate. I think myself there ought to be some definite and affirmative provision for an increase of that organization, but I think that has not been the manner in which it has

been built up. The department has had this fund provided and has from time to time increased it, as the funds and the work warranted the increases. Members of this committee should have heard the statement of Assistant Secretary White to the effect that we are barely scratching the surface in the way of deporting dangerous aliens. We are deporting now, or will deport under this appropriation, about 12,000 per year. With the indulgence of the committee, I read one statement made by him, from page 19 of the hearings heretofore referred to. This question was asked of Assistant Secretary White:

To what extent are we meeting the demands for deportations; that is, those covered by the present law? You say we are getting out some 12,000 per year, and if we had the increased appropriation mentioned you could increase that approximately 10 per cent. Will that take care of the work that ought to be done under the present law, Mr. Secretary?

Oh, no; we are taking care of the institutional cases now very satisfactorily. As to cases outside of institutions, we are not even scratching the surface.

The people of the United States want to deport these aliens who are now subject to deportation under the present very moderate, and, I think, insufficient laws. The Government is only deporting a small percentage of those subject to deportation. Our Committee on Immigration and Naturalization has reported and this House has twice passed a bill requiring more deportations but both have failed in the Senate. While I shall not undertake to criticize the action of the Committee on Appropriations, in view of the considerate manner in which it has treated this subject in this present appropriation bill, I want the House to understand that the United States Government is not taking care of this problem. I do not see how the organization can be enlarged under the present status of the law without an additional appropriation. An additional appropriation is required. If it is made, the organization can be enlarged and made to do the work expected of it.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. SHREVE. Mr. Chairman, I would like to call the attention of the committee at this point to the statement of Mr. White, made during the hearing:

Mr. TAYLOR. Have you any definite idea, Mr. Secretary, of just how many aliens there are in this country to-day who really ought to be deported under existing law?

Mr. WHITE. No; I have not.

Mr. TAYLOR. Have you any way of estimating it?

Mr. WHITE. My guess is just as valuable as any other man's, probably, and there are all sorts of guesses. Everybody is making a guess as to the number. All I can tell you is there are thousands of them.

So it is all simply a matter of guesswork.

Mr. OLIVER of Alabama. Mr. Chairman, I move to strike out the last two words.

Gentlemen, no one in the House is more interested in the enforcement of the immigration law than I am, and every member of this subcommittee has manifested a like interest. We have gone out of our way on many occasions to make special inquiry with a view of providing additional funds for the enforcement of this law, and in order that you may know what has been done in the way of increasing the appropriations for this service I wish to submit some figures which I think you will grant shows a growing interest, and that a very helpful hand has been extended each year by Congress to this important service.

In 1925 we increased the appropriation \$1,200,000 over the previous year. The next year we increased it \$588,000, the next year \$1,000,000, and the next year \$575,000, which sum represents the increase which the pending bill carries for the fiscal year 1929.

Mr. White, the Assistant Secretary, was before the committee, and he felt that the increase carried in this bill would adequately provide for the needs of their present force.

I am sure that the legislative committee recognizes the importance at this time of providing some further enabling legislation relative to unlawful entries and deportations. They have made efforts in the past to pass such legislation. When the bill favorably reported by the committee to the last Congress shall be finally written into law, it will greatly aid the Labor Department and its officials in the enforcement of every phase of the immigration law.

There are many embarrassing situations that now present themselves to enforcement officers. I may mention some that the committee has sought to remedy in the deportation law just referred to. Chief among them are the short periods of limitation fixed in the act of 1917. The committee has wisely recommended an extension of that period so that when officers go in

search of those unlawfully here, they will not be met with the answer, "Oh, we have been here for three years."

The one fruitful source through which so many to-day are unlawfully entering the United States is through the seaman's route, and to these the three-year limitation applies. Many gain entrance through that source. Some well-considered legislation is required to stop this gap.

I stated the other day, and I think the committee recognizes the force of it, since in their bill they sought to partially remedy it, until you provide punitive punishment for those who repeat their offense against our immigration law you will not discourage offenders nor effectively aid our officers to keep them out. You may vote all the money you will—\$10,000,000, if you please—in order to deport those unlawfully here, and yet until your law is changed such deportees can return by the next ship, and when they are again and yet again apprehended, all you can do under existing law is to give them safe passage back to their own country at large expense to our Government.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. OLIVER of Alabama. Mr. Chairman, may I ask unanimous consent for three minutes more?

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BOX. Will the gentleman yield?

Mr. OLIVER of Alabama. Yes.

Mr. BOX. The gentleman will recall the bill which this House has twice passed fixing penalties for particular offenses.

Mr. OLIVER of Alabama. Certainly, and what I am leading up to is this: When you shall have done what the committee itself recognizes as urgently important, you will have largely helped in the enforcement of the law, and thereby save the necessity of large annual increases in the appropriation for deportations.

You are not going to ask this House to recklessly spend money seeking to enforce a law that you admit is weak and should be strengthened, or to deport men who can repeatedly return and charge you with the expense of again deporting them, yet provide no punitive penalty for any offense.

You must, indeed, write a law with teeth in it and one, if you please, that will truly, yet effectively, show your interest in the enforcement of the spirit and letter of our immigration law. I am not criticizing the legislative committee, but I wish to emphasize to the House the importance of cooperating with such committee in the passage of a real effective deportation law that will prove a menace to all who seek to violate it.

Mr. HUDSPETH. Will the gentleman yield?

Mr. OLIVER of Alabama. Yes.

Mr. HUDSPETH. My friend has taken a great deal of interest in the border patrol and has helped to increase the number of members in the patrol. I want to commend the gentleman for it, and I also want to ask my friend a question, because I have not the data before me. The gentleman from Texas [Mr. BLANTON] and myself represent the entire border between Mexico and Texas. How many men have we to patrol that border of about 1,000 miles?

Mr. OLIVER of Alabama. I can not now give the gentleman the exact number further than to say we had practically all of those young men on the southern border before us, and we found them active, intelligent, and efficient. They were agreed on this point that a punitive penalty against offenders would help in the enforcement of the law far more than merely to increase their numbers.

Mr. HUDSPETH. I want to state that this is very rough country and inaccessible for automobiles.

Mr. OLIVER of Alabama. I understand that there are somewhere about 400 of the border patrol on the southern boundary.

Mr. HUDSPETH. If you increase that number by 50 or 100 you would not have so many persons to deport, for you would have an efficient constabulary there.

Mr. OLIVER of Alabama. Let me say that I am glad to have any observation from my good friend from Texas, because he strives to always be helpful. But with reference to our border patrol he must admit that it is now efficient. Those in charge state there are but few aliens from across-sea countries that enter through our southern borders. The parties they intercept and turn back are usually Mexicans whom you permit to enter provided they pay a certain fixed fee and apply through regular channels.

Mr. CELLER. Mr. Chairman, I make a point of order against the amendment of the gentleman from Washington.

The CHAIRMAN. The point of order comes too late.

Mr. LEAVITT. Mr. Chairman, I move to strike out the last three words in order to ask the chairman of the subcommittee

a question. I notice on page 62 of the hearings a statement made by Mr. Wagner that it would require \$800,000 to properly take care of the transportation item.

Mr. SHREVE. That is another guess; nobody knows anything about it.

Mr. LEAVITT. A little later Mr. Wagner states that it has been necessary, with the officers they have had, to defer deporting many whom they have ascertained should be deported, and they have deferred making investigations.

Mr. SHREVE. That is why we gave this supplementary estimate.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington [Mr. JOHNSON].

The question was taken; and on a division (demanded by Mr. JOHNSON of Washington) there were 67 ayes and 73 noes.

Mr. JOHNSON of Washington. Mr. Chairman, I demand tellers.

Tellers were ordered; and the Chair appointed as tellers Mr. SHREVE and Mr. JOHNSON of Washington.

The committee again divided; and the tellers reported that there were 72 ayes and 83 noes.

So the amendment was rejected.

Mr. LAGUARDIA. Mr. Chairman, I have an amendment. On page 111, line 8, to strike out the figures "\$7,110,000" and insert "\$7,160,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. LAGUARDIA: Page 111, line 8, strike out the figures "\$7,110,000" and insert "\$7,160,000."

Mr. LAGUARDIA. Mr. Chairman, this is in line with my effort to get a decent living wage for all Government employees. We have an Immigration Service, and I am sure if it were investigated it would be found that a large number of men, women, and employees are serving at a ridiculously low rate of wages. Some of the older men who served with me on Ellis Island 20 years ago are still receiving wages of \$1,200, \$1,400, and \$1,500, particularly the laborers, messengers, guards, and some of the interpreters.

After the statements made by the gentleman from Washington and the gentleman from Alabama of the importance of this work, and the good work they are doing, I do not see how this House can refuse to increase the appropriation so as to enable the Secretary of Labor to establish at least a minimum wage of \$1,800.

I do not believe a man or woman in the employ of the United States Government should receive less than \$1,800 a year.

Mr. O'CONNELL. And is it not a fact that they handle more immigrants in that station than in any other station in the country?

Mr. LAGUARDIA. They did prior to the quota law, and I dare say they do now. But I am not speaking particularly for Ellis Island. I speak for the whole service, where you have laborers, messengers, and guards, and interpreters, and the lower grade of inspectors. I do not know what the committee will do, though I have a very good idea; but I think that to economize on the wages of laborers and charwomen and interpreters, who are getting \$1,200 and \$1,300 and \$1,400 a year, is a very poor way to economize.

Mr. BOX. Mr. Chairman, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. BOX. One of the difficulties that aided, probably, in preventing the committee increasing this amount is the legislative situation. The Committee on Immigration and Naturalization now has under consideration a bill dealing directly with that one question. We hope to present it to the House so that the House can deal directly with that question alone and then we hope that appropriations will be provided for if necessary.

Mr. LAGUARDIA. I would like to appear before the gentleman's committee and give some facts, because I worked in that service some years ago. Mr. Chairman, in view of the statement of the gentleman from Texas, who is on the Committee on Immigration and Naturalization, I ask unanimous consent to withdraw my amendment. I shall depend upon that committee getting some action.

The CHAIRMAN. Without objection, the amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

#### IMMIGRATION STATIONS

For remodeling, repairing (including repairs to the ferry boat, Ellis Island), renovating buildings, and purchase of equipment, \$257,000, of which \$207,000 shall be immediately available.

Mr. CELLER. Mr. Chairman, that principle, though universal, is not applied to Government service, and particularly is this true in the Immigration Service. There seems to be a

lack of proper public appreciation as to the importance of the Immigration Service, and this probably is largely responsible for the low standard of compensation. The Immigration Service has almost always paid for itself. The income last fiscal year was a little over four million; the expenditures for maintaining this service was a little over five million. In some years it has paid its own way. It may be news to some of our citizens to learn the cost of immigration enforcement of the all-important immigration laws has for years been practically defrayed from the collection of alien head taxes, steamship fines, and bond forfeitures, and so forth. See how different it is, for exempli gratia, in the prohibition service where the employees are much better paid and where the net loss to the people is in a stupendous amount.

From the annual immigration appropriation there must be defrayed the enormous expense of detaining and deporting 12,000 aliens annually. I am informed that out of this same appropriation must come the salaries of the employees in the United States as well as in Europe. The amount of this appropriation is fixed. Thus the larger the number of deportees the less there is left for salaries. In other words, the greater the efforts of the immigration employees in enforcing the law the smaller become their opportunities of obtaining better compensation. In the past there have been recurring shortages of funds due to great expense in deporting aliens. Such shortages have caused periodical furloughs without pay for many immigration employees. Thus vigilance in detecting unlawful entrants works against their hope of adequate salaries, unless the American public, through Congress, is awakened to the justice of the plea for better treatment.

The immigration inspector has a difficult task to perform. He is not dealing with cargo or customs duties. He handles human freight. He must be gentle but firm and at all times tactful. Much depends upon his ability to espy and weed out the undesirable. It is not a question of liberal or restricted immigration. The immigration act of 1924 presents many problems that can only be solved by an intelligent and resourceful immigration service. But woefully low salaries and intelligence do not come together.

The Secretary of Labor, in his report for fiscal year ending June 30, 1927, quotes the words of President Coolidge in a presidential message, as follows:

In the industries the condition of the wage earner has steadily improved. The 12-hour day is almost unknown. Skilled labor is well compensated. But there are unfortunately a multitude of workers who have not yet come to share in the general prosperity of the Nation. Both the public authorities and private enterprise should be solicitous to advance the welfare of this class.

Surely we can not ask private enterprise to be fair to labor unless the Government sets the example.

Many of the officers who board vessels or trains at the border or who are stationed at international bridges or ferry landings are required to work for long stretches to accommodate the traveling public.

Twelve-hour stretches of work are not unusual for immigration inspectors. No extra compensation is provided for overtime work. They are precluded from receiving any pay from the transportation companies who are benefited. Customs employees are permitted to receive extra compensation from the steamship companies for work performed on Sundays, holidays, and after hours. Not so the immigration employees.

The best safeguard against venality in Government service is proper compensation, yet for years a short-sighted policy of economy has refused to set up that safeguard. To the credit of the employees of the Immigration Service be it said that their individual integrity, despite great temptations, ranks as high as any branch of the Federal service.

The low standard of compensation is not limited to the inspectional forces. Clerks performing duties similar to those of court stenographers are given salaries lower than that obtained for ordinary routine clerical work. Guards and matrons, responsible for the safekeeping or delivery to destination of many dangerous aliens, receive an average salary of \$25 a week. Even laborers receive smaller compensation than that given to men performing the same kind of work in other departments. Out of the salaries of all the employees comes the 3½ per cent which must be contributed to the pension fund.

The Monthly Labor Review, published by the Bureau of Labor Statistics, gives some interesting figures on the changes in the cost of living and in the purchasing power of the dollar in recent years. While these changes are quite familiar to everybody, except, apparently, those responsible for the fixing of clerical salaries, I wish to invite your attention to them in order to emphasize the injustice of the situation. According to the latest issue of the above publication, the purchasing power of a

dollar, compared with its value in 1913, is 0.687 applied to food and 0.585 applied to clothing. The average purchasing power for all commodities is 0.692 of the 1913 value.

In 1913 the average salary of clerks in the Immigration Service at the port of New York was \$1,147.59. Applying the above index number of 0.692 to the present average salary of \$1,587.28 it shrinks to \$1,098.40, or \$49.19 less than the average salary in 1913—a reduction of about 5 per cent. The important item of housing, which is not included in the above figures, constitutes from one-fourth to one-third of the average family budget and is practically double what it was in 1913. When we include that item the reduction in the average salary is far more than 5 per cent.

The older employees are the worst sufferers from this condition because of the glaring lack of a definite policy of promotions. Of approximately 100 clerks at the New York station alone, only one has received an increase in salary since March 1, 1925, and the majority have not received promotions for a much longer period. One-third of the present clerical force at that station are now receiving the entrance salary—\$1,320 for clerks and clerk-typists, \$1,440 for stenographers—despite the fact that many of them have been in the service three years or more. Most of the older clerks, who are doing important and exacting work, have received no promotions in from four to seven years. The conditions at the New York stations are typical of those prevailing throughout the service.

It is rather incongruous that this condition should prevail in the Labor Department, which was chiefly organized for the welfare of the wage earner. Responsible heads in the Department of Labor, however, realize the inadequate salaries, and, I am sure, are willing to help increase them. But Congress is the only tribunal to give relief. Be it remembered that the zeal to practice economy by the President, the Bureau of the Budget, and Appropriations Committees might, indeed, be praiseworthy, but even that virtue can be overdone and may easily become a vice.

Like my colleague from New York [Mr. LA GUARDIA] I propose to offer an amendment to H. R. 8269, making appropriations for the Department of Labor, by increasing appropriations by the sum of \$200,000 to be used to increase salaries for the immigration personnel. In view of the statement of the gentleman from Texas [Mr. Box] that the Immigration Committee will soon report a special bill dealing directly with this question, I have withdrawn my amendment and hope I shall have an opportunity to appear before the committee to plead the cause of these men.

Mr. HASTINGS. Mr. Chairman, I move to strike out the last word for the purpose of asking a question of the gentleman from Pennsylvania, in charge of the bill, or of the chairman of the Committee on Immigration and Naturalization. It is my understanding that we provided in our immigration laws for the admission of about 150,000 immigrants a year. I have seen it stated in the newspapers that a very much larger number comes into the country, in one instance 300,000 and in another instance 500,000.

Mr. JOHNSON of Washington. The law if carried out properly permits about 162,000 to come from European countries, and there are certain exemptions. The number actually coming each year is about a half million and the number going out is about 250,000. There is a net of 250,000, of which 45 per cent are from Canada and Mexico.

The Clerk read as follows:

General expenses: For compensation, to be fixed by the Secretary of Labor, of officers, clerks, and employees appointed, for the purpose of carrying on the work of the Bureau of Naturalization, provided for by the act approved June 29, 1906, as amended by the act approved March 4, 1913 (37 Stat. L. 736), and May 9, 1918 (40 Stat. L. 542-548, inclusive), including not to exceed \$68,940 for personal services in the District of Columbia, of which amount \$10,000 shall be available only for compensation of temporary employees, in accordance with the classification act of 1923; traveling expenses, including not to exceed \$400 for expenses of attendance at meetings concerned with the naturalization of aliens when incurred on the written authority of the Secretary of Labor; street-car fare, telegrams, verifications of legal papers, telephone service in offices outside of the District of Columbia; necessary supplies and equipment for the Naturalization Service; not to exceed \$25,000 for rent of offices outside of the District of Columbia where suitable quarters can not be obtained in public buildings; carrying into effect section 13 of the act of June 29, 1906 (34 Stat. L. 600), as amended by the act approved June 25, 1910 (36 Stat. L. 765), and in accordance with the provisions of the sundry civil act of June 12, 1917; and for mileage and fees to witnesses subpoenaed on behalf of the United States, the expenditures from this appropriation shall be made in the manner and under such regulations as the Secretary of Labor may prescribe, \$680,000: *Provided*, That no part of this appropriation shall be available for the compensation of assistants to clerks of United States courts,

Mr. GIBSON. Mr. Chairman, I move to strike out the last word.

In the general debate on the pending bill there was some discussion of the border patrol system. This new arm of the service is doing a good work along the boundary that separates my district from the Dominion of Canada. The personnel is excellent. The men are intelligent, alert, able, and are giving to their Government all that is in them.

The force consisting of a chief inspector and 13 inspectors cover a territory from Maine eastward to Lake Champlain and down the lake for 50 miles.

They have a difficult situation with which to deal. In the territory covered 125 roads cross the border, not counting many wood roads that are passable. There are many roads passing every port of entry connecting up with the main arteries of travel by crossroads through sparsely settled communities. Take the situation at North Troy as an illustration. The customs office and immigration station is located on the main highway from the north. But within a distance of 2 miles six other roads also enter the States. At Derby Line there are six roads within a distance of a little over 2 miles. The same condition exists at nearly every station in my district.

Automobile travel has made the problem of preventing the entrance of the alien more difficult. At North Troy, a small border town, 3,593 persons arriving by train and 193,944 by auto were examined by the regular force consisting of an immigration inspector and four customs men in the winter and seven in the summer. At Derby Line, another small town, 10,663 persons arriving by train and 218,352 by auto were examined. Over 400,000 persons going into and coming out of Canada passed that station last year. In all, 997,137 entered by railway and highway last year at the stations of Richford and east to New Hampshire. The work of examination was handled by a force of 18 inspectors and 14 border patrol.

Our border patrol in 1926 covered 82,859 miles (62,916 by motor, 2 by boat, 1,823 on foot, 18,116 by rail). Eight hundred and fifty-three freight trains, 4,916 passenger trains, 14,431 automobiles, 61 busses, and 165 other conveyances were examined. Thirty-nine thousand and eighteen people were questioned, 52 independent investigations made, 18 smugglers and 125 smuggled aliens were captured, 188 persons were turned over to immigrant inspectors for further action, 30 automobiles valued at \$14,350, and contraband goods valued at \$4,513.45 were captured. That was a good year's work for that faithful band of men.

In order to cover the work required by the immigration laws, the 18 inspectors had to work many hours of overtime. At none of the ports was a 24-hour service maintained. For that reason there was nothing to prevent aliens from entering during the hours of the day or night when inspectors were obliged to be off duty for rest.

The aliens are coming in without right. Hundreds of them come over our northern border every year and adding to the million or more who are already here unlawfully. The flow can not be stopped unless a sufficient appropriation is made to provide practically a 24-hour service on every highway leading from Canada. Good work is being done with the force at hand, but we ought to be honest with ourselves and honest with the country and provide a sum sufficient to enforce the law and give it effect.

Our immigration officials are lacking equipment, furniture, and supplies. Filing cabinets, transfer cases, even chairs and desks, are needed. A better type of automobile should be provided to cope with the high-powered cars of the smugglers. Time and time again, when requisitions are made, the officials are informed that the appropriation is insufficient to provide for their purchase. The Government has never provided sufficient funds for the regular service or for the border patrol along the northern border of Vermont.

Another thing I wish to call to your attention. The Customs Service and the Immigration Service are not well housed. At Derby Line, where 400,000 people pass every year, until two years ago the necessary examinations were made on the piazza of a country hotel. I succeeded in interesting some public-spirited citizens, who saw the shame of this great and rich country doing its business in that way, in the acquiring for the services of respectable quarters at a low rental. At North Troy, where more than 200,000 pass every year, a room 10 by 15 in one end of a railway station served as an office where five men worked in the winter and eight in the summer. It was also used for the detention of immigrants and for the storage of captured liquor. There, too, public-spirited citizens had to come to the rescue of the Government, and as a result a building has been erected for the transaction of the business of the Government. I look ahead with hope to a day when the United States will erect at the border a uniform type of

a building for the Customs and the Immigration Services that will be a credit to us.

We in Vermont are interested in the enforcement of the immigration law. Our able Senator, than whom no better ever served a people, the late William P. Dillingham, gave of his energy and time to the enactment of sane legislation. A constituent of mine, Hon. W. W. Husband, Assistant Secretary of Labor, one of the best-informed men in the world on immigration matters, is ably assisting in the enforcement of the present act. So we are anxiously looking ahead to the time when enforcement will not be hampered for lack of funds.

The Clerk concluded the reading of the bill.

Mr. SHREVE. Mr. Chairman, I wish to say to the House that an amendment is coming over from the Bureau of the Budget respecting the airway. Members will recall that a few days ago I said that I thought that the amount that we were appropriating is not sufficient, and it has turned out so; and there will be an amendment, which we will offer at the proper time in the Senate. I want the House to understand that.

Mr. OLIVER of Alabama. Mr. Chairman, I fully concur in that statement. The whole committee were under the impression that probably that amount would have to be increased. I understand that the increase carried in the supplemental estimate will be about \$325,000, which it is hoped will care fully for the lighted-airway program for the fiscal year 1929.

Mr. JOHNSON of Washington. Mr. Chairman, will the gentleman yield to me?

Mr. SHREVE. Yes.

Mr. JOHNSON of Washington. Inasmuch as that amendment is not here, would not the gentleman like to move that the committee rise to-night and meet to-morrow? I would like to make a motion to recommit.

Mr. SHREVE. Mr. Chairman, I move that the committee do now rise and report the bill to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. LEHLBACH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the bill (H. R. 8269) making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1929, and for other purposes, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. SHREVE. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time.

Mr. BLANTON. Mr. Speaker, I demand the reading of the engrossed copy. I do this because the gentleman from Washington [Mr. JOHNSON] has an important motion to recommit which he wishes to make, which ought not to be taken up until to-morrow morning.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that this day they presented to the President of the United States for his approval a bill of the House of the following title:

H. R. 483. An act authorizing the Secretary of the Treasury to acquire certain lands within the District of Columbia to be used as sites for public buildings.

#### ADJOURNMENT

Mr. SHREVE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 30 minutes p. m.) the House adjourned until to-morrow, Wednesday, January 11, 1928, at 12 o'clock noon.

#### COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Wednesday, January 11, 1928, as reported to the floor leader by clerks of the several committees:

#### COMMITTEE ON AGRICULTURE

(10 a. m.)

To provide for the further development of agricultural extension work between the agricultural colleges in the several States receiving the benefits of the act entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," approved July 2, 1862, and all acts supplementary thereto, and the United States Department of Agriculture (H. R. 6074).

#### COMMITTEE ON APPROPRIATIONS

(10 a. m.)

War Department appropriation bill.  
Post Office Department appropriation bill.

#### COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

(10 a. m.)

To authorize an appropriation to provide additional hospital and out-patient dispensary facilities for persons entitled to hospitalization under the World War veterans' act, 1924, as amended (H. R. 5604).

#### COMMITTEE ON IRRIGATION AND RECLAMATION

(10.30 a. m.)

To provide for the construction of works for the protection and development of the lower Colorado River Basin, for the approval of the Colorado River compact (H. R. 5773).

#### COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

A meeting to hear Secretary Wilbur discuss the building program.

#### COMMITTEE ON THE CENSUS

(10.30 a. m.)

To provide for the fifteenth and subsequent decennial censuses (H. R. 393).

#### COMMITTEE ON FLOOD CONTROL

(10 a. m.—caucus room)

A meeting to hear members of the Mississippi River Commission discuss projects proposed to control the flood waters of the Mississippi.

(2 p. m.—caucus room)

To hear Representative GIBSON and a delegation from Vermont discuss flood-control projects.

#### COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

(10 a. m.)

To provide for the coordination of public health activities of the Government (H. R. 5766).

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

278. A letter from the Secretary of the Treasury, transmitting schedules and lists of papers, documents, etc., in the files of this department which are not needed in the transaction of public business and have no permanent value; to the Committee on Disposition of Useless Executive Papers.

279. A letter from the Secretary of Labor, transmitting statement of typewriters, adding machines, and other labor-saving devices exchanged in part payment for new machines during the fiscal year ended June 30, 1927; to the Committee on Expenditures in the Executive Departments.

280. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the fiscal year ending June 30, 1929, for the Department of Interior, amounting to \$32,250 (H. Doc. No. 136); to the Committee on Appropriations, and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. FURLOW: Committee on Military Affairs. H. R. 232. A bill to amend the act of June 7, 1924, prescribing the persons entitled to the benefits of the National Home for Disabled Volunteer Soldiers and the method of their admission thereto; with amendment (Rept. No. 249). Referred to the Committee of the Whole House on the state of the Union.

Mr. SPEAKS: Committee on Military Affairs. H. R. 8550. A bill to amend the national defense act; with amendment (Rept. No. 250). Referred to the Committee of the Whole House on the state of the Union.

Mr. FISHER: Committee on Military Affairs. H. J. Res. 39. A joint resolution authorizing the Secretary of War to receive, for instruction at the United States Military Academy, at West Point, two Chinese subjects, to be designated hereafter by the Government of China; without amendment (Rept. No. 253). Referred to the House Calendar.

Mr. FISHER: Committee on Military Affairs. H. J. Res. 40. A joint resolution authorizing the Secretary of War to receive, for instruction at the United States Military Academy, at West Point, two Siamese subjects, to be designated hereafter by the Government of Siam; without amendment (Rept. No. 254). Referred to the House Calendar.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. JAMES: Committee on Military Affairs. H. R. 7926. A bill to place a retired officer of the Army on the retired list as a major general; without amendment (Rept. No. 251). Referred to the Committee of the Whole House.

Mr. SUTHERLAND: Committee on the Territories. H. J. Res. 135. A joint resolution for the relief of special disbursing agents of the Alaska Railroad; without amendment (Rept. No. 252). Referred to the Committee of the Whole House.

#### PUBLIC BILLS AND RESOLUTIONS:

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. NIEDRINGHAUS: A bill (H. R. 9018) granting the consent of Congress to E. M. Elliott & Associates (Inc.), its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River; to the Committee on Interstate and Foreign Commerce.

By Mr. PARKS: A bill (H. R. 9019) granting the consent of Congress to the State Highway Commission of Arkansas to construct, maintain, and operate a bridge across the Ouachita River near Callon, Ark.; to the Committee on Interstate and Foreign Commerce.

By Mr. GRAHAM: A bill (H. R. 9020) to amend an act entitled "An act to establish a Code of Law for the District of Columbia," approved March 3, 1901, and the acts amendatory thereof and supplementary thereto; to the Committee on the Judiciary.

Also, a bill (H. R. 9021) providing for the punishment of persons escaping from Federal penal or correctional institutions, and for other purposes; to the Committee on the Judiciary.

Also, a bill (H. R. 9022) to authorize the town of Alderson, W. Va., to maintain a public highway upon the premises occupied by the Federal Industrial Institution for Women at Alderson, W. Va.; to the Committee on the Judiciary.

Also, a bill (H. R. 9023) to authorize the Attorney General to regulate the wearing, manufacture, and sale of badges used by certain Government officials; to the Committee on the Judiciary.

Also, a bill (H. R. 9024) to authorize the appointment of stenographers in the courts of the United States and to fix their duties and compensation; to the Committee on the Judiciary.

Also, a bill (H. R. 9025) to permit the United States to be made a party defendant in certain cases; to the Committee on the Judiciary.

Also, a bill (H. R. 9026) to amend section 1112 of the Code of Law for the District of Columbia; to the Committee on the Judiciary.

Also, a bill (H. R. 9027) to further protect interstate and foreign commerce against bribery and other corrupt trade practices; to the Committee on the Judiciary.

Also, a bill (H. R. 9028) to amend the Judicial Code by adding a new section, to be No. 274D; to the Committee on the Judiciary.

Also, a bill (H. R. 9029) providing for a fee to clerks of court in certain cases; to the Committee on the Judiciary.

Also, a bill (H. R. 9030) to amend section 176 of the Judicial Code; to the Committee on the Judiciary.

By Mr. SINNOTT (by departmental request): A bill (H. R. 9031) to provide further for the disposal of abandoned military reservations in the Territory of Alaska, including Signal Corps stations and rights of way; to the Committee on the Public Lands.

By Mr. CHRISTOPHERSON: A bill (H. R. 9032) reinvesting title to certain lands in the Yankton Sioux Tribe of Indians; to the Committee on Indian Affairs.

By Mr. HOWARD of Oklahoma: A bill (H. R. 9033) to amend section 1 of the act of Congress of March 3, 1921 (41

Stat. L. 1249), entitled "An act to amend section 3 of the act of Congress of June 28, 1906, entitled 'An act for the division of the lands and funds of the Osage Indians in Oklahoma, and for other purposes'"; to the Committee on Indian Affairs.

By Mr. JOHNSON of Indiana: A bill (H. R. 9034) providing for the examination and survey of the Wabash River, and for the construction of a canal connecting the Wabash River with the Maumee River, said canal to extend between Huntington, Ind., and Fort Wayne, Ind.; to the Committee on Rivers and Harbors.

By Mr. JOHNSON of Washington: A bill (H. R. 9035) to establish a uniform rule of naturalization and to amend and codify the laws relating thereto, to provide for recognition of citizenship in certain cases, and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. LUCE: A bill (H. R. 9036) to increase the salary of the Librarian of Congress; to the Committee on the Library.

By Mr. LEAVITT (by request): A bill (H. R. 9037) to provide for the permanent withdrawal of certain lands in Inyo County, Calif., for Indian use; to the Committee on Indian Affairs.

By Mr. IGOE: A bill (H. R. 9038) to amend an act entitled "An act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, and for other purposes"; to the Committee on the Post Office and Post Roads.

By Mr. PORTER: A bill (H. R. 9039) authorizing an appropriation for the payment of claims arising out of the occupation of Vera Cruz, Mexico, by American forces in 1914; to the Committee on Foreign Affairs.

By Mr. PERKINS: A bill (H. R. 9040) to establish the standard of weights and measures for the following wheat-mill, rye-mill, and corn-mill products, namely, flours, semolina, hominy, grits, and meals, and all commercial feeding stuffs, and for other purposes; to the Committee on Coinage, Weights, and Measures.

By Mr. OLDFIELD: A bill (H. R. 9041) to authorize the President to classify certain positions under the civil service act; to the Committee on the Civil Service.

By Mr. HOPE: A bill (H. R. 9042) for the acquisition of a site and erection thereon of a public building at Dodge City, in the State of Kansas; to the Committee on Public Buildings and Grounds.

By Mr. PORTER: A bill (H. R. 9043) to authorize the payment of an indemnity to the Government of France on account of losses sustained by the owners of the French steamship *Madeline* as a result of a collision between it and the U. S. S. *Kerwood*; to the Committee on Foreign Affairs.

Also, a bill (H. R. 9044) authorizing the payment of an indemnity to the British Government on account of the death of Samuel Richardson, a British subject, alleged to have been killed at Consuelo, Dominican Republic, by United States Marines; to the Committee on Foreign Affairs.

By Mr. SCHNEIDER: A bill (H. R. 9045) granting the consent of Congress to the States of Wisconsin and Michigan to construct, maintain, and operate a free highway bridge across the Menominee River, at or near Marinette, Wis.; to the Committee on Interstate and Foreign Commerce.

By Mr. WILLIAMSON: A bill (H. R. 9046) to amend section 17 of the act of March 2, 1889, entitled "An act to divide a portion of the reservation of the Sioux Nation of Indians into separate reservations and to secure the relinquishment of the Indian title to the remainder, and for other purposes," as amended by the act of June 10, 1896; to the Committee on Indian Affairs.

By Mrs. KAHN: A bill (H. R. 9047) to authorize appropriations for the construction of roads at the Presidio of San Francisco, Calif.; to the Committee on Military Affairs.

By Mr. CRAIL: A bill (H. R. 9048) to authorize the erection of a Veterans' Bureau hospital in the State of California, and to authorize the appropriation therefor, \$2,000,000; to the Committee on World War Veterans' Legislation.

By Mr. GRAHAM: A bill (H. R. 9049) to amend section 227 of the Judicial Code; to the Committee on the Judiciary.

Also (by request), a bill (H. R. 9050) to amend section 260 of the Judicial Code as amended; to the Committee on the Judiciary.

Also, a bill (H. R. 9051) to amend section 1 of the act of February 22, 1875, entitled "An act regulating fees and cost, and for other purposes"; to the Committee on the Judiciary.

Also, a bill (H. R. 9052) to amend section 6 of the act of May 28, 1896; to the Committee on the Judiciary.

Also, a bill (H. R. 9053) to authorize the designation of persons to act for disbursing officers and others charged with the disbursement of public moneys of the United States; to the Committee on the Judiciary.

Also, a bill (H. R. 9054) to amend section 118 of the Judicial Code to provide for the appointment of law clerks to United States circuit judges; to the Committee on the Judiciary.

By Mr. JONES: A bill (H. R. 9055) to detach Hardeman County from the Fort Worth division of the northern judicial district of the State of Texas and attach the same to the Wichita Falls division of said district; to the Committee on the Judiciary.

By Mr. LEAVITT (by request): A bill (H. R. 9056) to provide for the permanent withdrawal of certain lands in Inyo County, Calif., for Indian use; to the Committee on Indian Affairs.

By Mr. MEAD: A bill (H. R. 9057) granting pensions and increase of pensions to certain soldiers and sailors of the war with Spain, the Philippine insurrection, the China relief expedition, or Coast Guard Artillery service of the United States, their widows and orphans; to the Committee on Pensions.

Also, a bill (H. R. 9058) to provide a shorter workday on Saturday for postal employees; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 9059) to establish a system of longevity pay for postal employees; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 9060) to amend the national prohibition act; to the Committee on the Judiciary.

Also, a bill (H. R. 9061) to amend an act entitled "An act granting pensions and increase of pensions to certain soldiers, sailors, and marines of the Civil and Mexican Wars, and to certain widows of said soldiers, sailors, and marines, and to widows of the War of 1812, and Army nurses, and for other purposes," approved July 3, 1926; to the Committee on Invalid Pensions.

By Mr. GRAHAM (by request): A bill (H. R. 9062) to amend section 284 of the Judicial Code of the United States; to the Committee on the Judiciary.

By Mr. STEAGALL: A bill (H. R. 9063) to extend the times for commencing and completing the construction of a bridge across the Chattahoochee River at or near Alaga, Ala.; to the Committee on Interstate and Foreign Commerce.

By Mr. ALLGOOD: A bill (H. R. 9064) granting the consent of Congress to the highway department of the State of Alabama to construct a bridge across Coosa River near Pell City on the Pell City-Anniston road between Calhoun and St. Clair Counties, Ala.; to the Committee on Interstate and Foreign Commerce.

By Mr. PORTER: Joint resolution (H. J. Res. 144) to provide for the payment of claims of certain German nationals against the United States; to the Committee on Foreign Affairs.

Also, joint resolution (H. J. Res. 145) to provide for the payment of an indemnity to the Chinese Government for the death of Chang Lin and Tong Huan Yah, alleged to have been killed by members of the armed forces of the United States; to the Committee on Foreign Affairs.

Also, joint resolution (H. J. Res. 146) to provide for the payment of an indemnity to the Dominican Republic for the death of Juan Soriano, who was killed by the landing of an airplane belonging to the United States Marine Corps; to the Committee on Foreign Affairs.

Also, joint resolution (H. J. Res. 147) for the relief of the estate of the late Max D. Kirjassoff; to the Committee on Foreign Affairs.

Also, joint resolution (H. J. Res. 148) to provide for the payment of an indemnity to the British Government to compensate the dependents of Edwin Tucker, a British subject, alleged to have been killed by a United States Army ambulance in Colon, Panama; to the Committee on Foreign Affairs.

Also, joint resolution (H. J. Res. 149) to authorize an appropriation for the compensation of William Wiseman; to the Committee on Foreign Affairs.

Also, joint resolution (H. J. Res. 150) to provide for the payment of an indemnity to the Government of the Netherlands for compensation for personal injuries sustained by two Netherlands subjects, Arend Kamp and Francis Gort, while the U. S. S. *Canidas* was loading on May 1, 1919, at Rotterdam; to the Committee on Foreign Affairs.

Also, joint resolution (H. J. Res. 151) to provide for payment of the claim of the Government of China for compensation of Sun Jui-chin for injuries resulting from an assault on him by a private in the United States Marine Corps; to the Committee on Foreign Affairs.

Also, joint resolution (H. J. Res. 152) authorizing and requesting the President to extend invitations to foreign governments to be represented by delegates at the International Congress of Entomology to be held in the United States in 1928; to the Committee on Foreign Affairs.

Also, joint resolution (H. J. Res. 153) for the contribution of the United States in the plans of the organization of the In-

ternational Society for the Exploration of the Arctic Regions by Means of the Airship; to the Committee on Foreign Affairs.

Also, joint resolution (H. J. Res. 154) authorizing payment of the claim of the Norwegian Government for interest upon money advanced by it in connection with the protection of American interests in Russia; to the Committee on Foreign Affairs.

By Mr. IGOE: Joint resolution (H. J. Res. 155) to repeal the national prohibition act; to the Committee on the Judiciary.

By Mr. BROWNE: Joint resolution (H. J. Res. 156) authorizing the President to accept the invitation of the British Government to appoint delegates to the Eighth International Dairy Congress, to be held in Great Britain during June-July, 1928, and providing for an appropriation of \$10,000 for the payment of the expenses of the delegates; to the Committee on Foreign Affairs.

By Mr. BEERS: Concurrent resolution (H. Con. Res. 14) to provide for the publication of 130,000 copies of the Special Report on the Diseases of Cattle; to the Committee on Printing.

Also, concurrent resolution (H. Con. Res. 15) to provide for the publication of 130,000 copies of the Special Report on the Diseases of Horse; to the Committee on Printing.

By Mr. LINTHICUM: Resolution (H. Res. 85) for the appointment of a committee to investigate differences which have arisen between the authorities of the Naval Academy at Annapolis and those of the Military Academy at West Point over the rules and regulations governing the game of football, and for other purposes; to the Committee on Rules.

By Mr. BERGER: Resolution (H. Res. 86) directing the Speaker of the House of Representatives to appoint a special committee of the House of Representatives for the purpose of investigating conditions now prevailing in the bituminous coal fields where a suspension of labor activities is in progress; to the Committee on Rules.

#### MEMORIALS

Under clause 3 of Rule XXII, memorials were presented and referred as follows:

By Mr. BECK of Wisconsin: Memorial of the Legislature of the State of Wisconsin, requesting the President of the United States to enter into negotiations with the Government of Italy concerning persons born in Italy who have become citizens of the United States. To the Committee on Immigration and Naturalization.

Also, memorial of the Legislature of the State of Wisconsin, protesting to Congress and to the Secretary of Agriculture of the United States against the passage of the Frazier-Burness bill (H. R. 16776 and S. 5696), depriving the grain and warehouse commission of Wisconsin of authority to act as Federal inspectors of grains in transit; to the Committee on Agriculture.

Also, memorial of the Legislature of the State of Wisconsin, relating to outlawry of war; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of the State of Wisconsin, memorializing Congress to adopt Senate Concurrent Resolution 15, Sixty-ninth Congress, second session, relating to "dollar diplomacy"; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of the State of Wisconsin, memorializing the National Government to submit to arbitration the Mexican and Nicaraguan controversies; to the Committee on Foreign Affairs.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANTHONY: A bill (H. R. 9065) granting a pension to Allie E. Nell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9066) granting a pension to Ruth Nelson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9067) granting an increase of pension to Amelia A. Ellis; to the Committee on Invalid Pensions.

By Mr. ARNOLD: A bill (H. R. 9068) granting an increase of pension to Illinois Christie; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9069) granting an increase of pension to Christina Meyer; to the Committee on Invalid Pensions.

By Mr. BLAND: A bill (H. R. 9070) granting a pension to Elmer H. Clingan; to the Committee on Invalid Pensions.

By Mr. BULWINKLE: A bill (H. R. 9071) for the relief of Ed Burleson; to the Committee on Military Affairs.

By Mr. BUTLER: A bill (H. R. 9072) for the relief of Louis A. Yorke; to the Committee on Naval Affairs.

By Mr. CLARKE: A bill (H. R. 9073) to correct the naval record of John Lewis Burns; to the Committee on Naval Affairs.

By Mr. CRAWL: A bill (H. R. 9074) authorizing the Secretary of War to award a congressional medal of honor to Henry M. Brinkerhoff; to the Committee on Military Affairs.

By Mr. CURRY: A bill (H. R. 9075) granting a pension to Pearl J. Pool; to the Committee on Invalid Pensions.

By Mr. DAVENPORT: A bill (H. R. 9076) to correct the military record of Andrew J. Carr; to the Committee on Military Affairs.

By Mr. DARROW: A bill (H. R. 9077) for the relief of Fred C. Martsoff; to the Committee on Military Affairs.

By Mr. EATON: A bill (H. R. 9078) granting an increase of pension to Ida May Gaston; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9079) granting a pension to Keturah E. Pierson; to the Committee on Invalid Pensions.

By Mr. EDWARDS: A bill (H. R. 9080) granting an increase of pension to Ida Harper; to the Committee on Pensions.

By Mr. FREAR: A bill (H. R. 9081) granting an increase of pension to Ellen J. Cartland; to the Committee on Invalid Pensions.

By Mr. GAMBRILL: A bill (H. R. 9082) granting an increase of pension to George F. Tinkham; to the Committee on Pensions.

By Mr. GOLDSBOROUGH: A bill (H. R. 9083) for the relief of Roland Webster; to the Committee on Claims.

By Mr. GRAHAM: A bill (H. R. 9084) to amend the military record of James M. Kelly; to the Committee on Military Affairs.

Also, a bill (H. R. 9085) for the relief of Charles A. Moore; to the Committee on Foreign Affairs.

Also, a bill (H. R. 9086) for the relief of William Henry Savage; to the Committee on Naval Affairs.

Also, a bill (H. R. 9087) granting a pension to Sarah E. Ashley, also known as Sallie E. Ashley; to the Committee on Invalid Pensions.

By Mr. HERSEY: A bill (H. R. 9088) granting an increase of pension to Mary A. Hall; to the Committee on Invalid Pensions.

By Mr. HICKEY: A bill (H. R. 9089) granting an increase of pension to Maggie Shaw; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9090) granting an increase of pension to Jane C. Poulson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9091) granting an increase of pension to Charles D. Forney; to the Committee on Pensions.

By Mr. KETCHAM: A bill (H. R. 9092) granting an increase of pension to Harriett L. Bowen; to the Committee on Invalid Pensions.

By Mrs. LANGLEY: A bill (H. R. 9093) granting an increase of pension to Joseph Wilder; to the Committee on Pensions.

Also, a bill (H. R. 9094) granting a pension to John Haners; to the Committee on Pensions.

Also, a bill (H. R. 9095) granting a pension to Arnett Mitchell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9096) granting a pension to John Sexton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9097) granting an increase of pension to John Salyer; to the Committee on Pensions.

By Mr. LEECH: A bill (H. R. 9098) granting a pension to Celesta Shuman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9099) granting a pension to Velma Shuman; to the Committee on Invalid Pensions.

By Mr. MEAD: A bill (H. R. 9100) granting an increase of pension to Hugh J. Gallagher; to the Committee on Pensions.

By Mr. MONAST: A bill (H. R. 9101) granting an increase of pension to Elizabeth Kagan; to the Committee on Invalid Pensions.

By Mr. NELSON of Missouri: A bill (H. R. 9102) granting a pension to Maria Rutter; to the Committee on Invalid Pensions.

By Mrs. NORTON of New Jersey: A bill (H. R. 9103) granting an increase of pension to Jane A. McDonagh; to the Committee on Invalid Pensions.

By Mr. NORTON of Nebraska: A bill (H. R. 9104) granting a pension to Gus Pike; to the Committee on Invalid Pensions.

By Mr. NEWTON: A bill (H. R. 9105) for the relief of Raymond L. Higgins; to the Committee on Naval Affairs.

By Mr. O'BRIEN: A bill (H. R. 9106) granting a pension to Anderson M. Jarrett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9107) for the relief of G. W. Hayhurst; to the Committee on Claims.

Also, a bill (H. R. 9108) granting an increase of pension to Harriet Knizely; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9109) granting an increase of pension to Sarah E. Harrison; to the Committee on Invalid Pensions.

By Mr. OLDFIELD: A bill (H. R. 9110) granting a pension to Mary J. Moore; to the Committee on Invalid Pensions.

By Mr. PALMER: A bill (H. R. 9111) granting an increase of pension to Catherine Rarick; to the Committee on Invalid Pensions.

By Mr. PORTER: A bill (H. R. 9112) for the relief of William Roderick Dorsey and other officers of the Foreign Service of the United States who, while serving abroad, suffered by theft, robbery, fire, embezzlement, or bank failures losses of official funds; to the Committee on Foreign Affairs.

By Mr. PRATT: A bill (H. R. 9113) granting an increase of pension to Martha Alice Dimmick; to the Committee on Invalid Pensions.

By Mr. REECE: A bill (H. R. 9114) granting an increase of pension to Naoma Foster; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9115) granting an increase of pension to Adline Sowders; to the Committee on Invalid Pensions.

By Mr. REED of New York: A bill (H. R. 9116) granting an increase of pension to Diantha Dean; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9117) granting a pension to Clara Henderson; to the Committee on Invalid Pensions.

By Mr. SINCLAIR: A bill (H. R. 9118) for the relief of William C. Braasch; to the Committee on the Public Lands.

By Mr. SWICK: A bill (H. R. 9119) for the relief of the estate of James Glover, deceased; to the Committee on War Claims.

By Mr. THATCHER: A bill (H. R. 9120) granting an increase of pension to Elizabeth Hamacher; to the Committee on Invalid Pensions.

By Mr. TILSON: A bill (H. R. 9121) granting an increase of pension to Julia E. Whittlesey; to the Committee on Invalid Pensions.

By Mr. WEAVER: A bill (H. R. 9122) granting an increase of pension to Sarah Emma Hooper; to the Committee on Invalid Pensions.

By Mr. WRIGHT: A bill (H. R. 9123) granting a pension to Monroe C. Burdeshaw; to the Committee on Pensions.

Also, a bill (H. R. 9124) granting an increase of pension to Arthur F. Truitt; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1211. By Mr. ALDRICH: Petition of 117 voters of Westerly, R. I., urging passage of legislation increasing the pension of Civil War veterans and their widows; to the Committee on Invalid Pensions.

1212. By Mr. BARBOUR: Petitions of citizens of the seventh congressional district of California, protesting against the Lankford Sunday bill (H. R. 78); to the Committee on the District of Columbia.

1213. By Mr. CARLEY: Protest by Olof Sigbjornsen, 742 Fifty-third Street, Brooklyn, N. Y., and 31 other citizens, against passage of Lankford bill (H. R. 78); to the Committee on the District of Columbia.

1214. By Mr. BECK of Wisconsin: Petition of Sparta, Clark, Monroe, La Crosse, and Marquette Counties of Wisconsin, protesting against the passage of House bill 78; to the Committee on the District of Columbia.

1215. By Mr. BLOOM: Petition of John McGowan and other citizens of the city of New York, protesting against the Sunday observance bill (H. R. 78); to the Committee on the District of Columbia.

1216. By Mr. BOHN: Petition protesting against the new quota in our Federal immigration law; to the Committee on Immigration and Naturalization.

1217. By Mr. BOIES: Petition signed by citizens of Whiting, Monona County, Iowa, protesting against the compulsory Sunday observance bill; to the Committee on the District of Columbia.

1218. Also, petition signed by citizens of Sioux City, Woodbury County, Iowa, protesting against the compulsory Sunday observance bill; to the Committee on the District of Columbia.

1219. Also, petition signed by citizens of Sioux City, Woodbury County, Iowa, protesting against the compulsory Sunday observance bill; to the Committee on the District of Columbia.

1220. By Mr. BURTNESS: Papers to accompany House bill 8580, granting an increase of pension to Angeline R. Davis; to the Committee on Invalid Pensions.

1221. By Mr. CHALMERS: Petition against compulsory Sunday observance, signed by residents of Toledo, Ohio; to the Committee on the District of Columbia.

1222. By Mr. CLARKE: Petitions from the citizens of Otego and Oneonta, N. Y., against compulsory Sunday observance; to the Committee on the District of Columbia.

1223. By Mr. COCHRAN of Pennsylvania: Petition of 44 citizens of Warren, Pa., and vicinity, protesting against the passage of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

1224. Also, petition signed by C. W. Pearson and 74 other residents of Warren, Pa., protesting against the passage of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

1225. Also, petition signed by C. F. Hansen and other residents of Warren County, Pa., protesting against the passage of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

1226. By Mr. COMBS: Petition in protest against House bill 78, the Lankford compulsory Sunday observance bill; to the Committee on the District of Columbia.

1227. Also, petition in protest against House bill No. 78, the Lankford compulsory Sunday observance bill; to the Committee on the District of Columbia.

1228. By Mr. CORNING: Petition of sundry citizens of the city of Albany, protesting against the passage of House bill 78, known as the Lankford bill, relating to Sunday observance in the District of Columbia; to the Committee on the District of Columbia.

1229. By Mr. CURRY: Petition signed by several thousand residents of the third California district, protesting against the enactment of religious legislation, and particularly against the Sunday bill (H. R. 78); to the Committee on the District of Columbia.

1230. By Mr. DEMPSEY: Petition against Sunday observance bill (H. R. 78) by citizens of Kenmore, N. Y.; to the Committee on the District of Columbia.

1231. By Mr. DICKINSON of Missouri: Petition of 273 citizens of the sixth district of Missouri, protesting against the Lankford compulsory Sunday observance bill (H. R. 78); to the Committee on the District of Columbia.

1232. By Mr. DOUGLAS of Arizona: Petition signed by Seventh Day Adventists residing in Arizona, protesting against House bill 78, introduced by Congressman Lankford; to the Committee on the District of Columbia.

1233. By Mr. DRANE: Petition of citizens of Florida, against compulsory Sunday legislation; to the Committee on the District of Columbia.

1234. Also, petition of citizens of Florida, against compulsory Sunday observance legislation; to the Committee on the District of Columbia.

1235. By Mr. ENGLEBRIGHT: Petition of Orin Duncan and other citizens of Redding, Anderson, and Cottonwood, Calif., protesting against proposed Sunday closing bill for the District of Columbia; to the Committee on the District of Columbia.

1236. Also, petition of M. J. Williams and other citizens of Yreka, Calif., protesting against the proposed Lankford Sunday closing bill for the District of Columbia; to the Committee on the District of Columbia.

1237. Also, petition of citizens of Hilts, Calif., protesting against proposed Lankford Sunday closing bill for the District of Columbia; to the Committee on the District of Columbia.

1238. Also, petition of citizens of Placerville, Calif., protesting against the Lankford Sunday closing bill for the District of Columbia; to the Committee on the District of Columbia.

1239. Also, petition of various citizens in the vicinity of Red Bluff, Calif., protesting against the Lankford Sunday closing bill for the District of Columbia; to the Committee on the District of Columbia.

1240. Also, petition of M. J. Williams and other citizens of Yreka, Calif., protesting against the Lankford Sunday closing bill for the District of Columbia; to the Committee on the District of Columbia.

1241. Also, petition of Mrs. F. B. McCann and other citizens of Happy Camp, Calif., protesting against the Lankford Sunday closing bill for the District of Columbia; to the Committee on the District of Columbia.

1242. By Mr. EVANS of Montana: Petition of H. A. Green, of Missoula, Mont., together with residents of Bonner and Milltown, Mont., protesting against the passage of House bill 78; to the Committee on the District of Columbia.

1243. By Mr. FAUST: Petition of the botanical department of St. Joseph Junior College, St. Joseph, Mo., protesting against efforts of private interests to procure a part of the Yosemite National Park; to the Committee on Public Buildings and Grounds.

1244. By Mr. FENN: Petition of citizens of Hartford, Conn., and vicinity, protesting against the passage of House bill 78, and any other bills relative to the compulsory observance of Sunday; to the Committee on the District of Columbia.

1245. Also, petition of residents of Hartford, East Hartford, New Britain, South Manchester, Willimantic, East Windsor Hill, and Windsor, Conn., protesting against the passage of House bill 78, and any other bills relative to the compulsory observance of Sunday; to the Committee on the District of Columbia.

1246. By Mr. FRENCH: Petition of 14 citizens of Washington County, Idaho, protesting against enactment of House bill 78, or other compulsory Sunday observance; to the Committee on the District of Columbia.

1247. By Mr. FROTHINGHAM: Petition of residents of Brockton, Mass., protesting against the compulsory Sunday observance bill (H. R. 78); to the Committee on the District of Columbia.

1248. By Mr. GARBER: Letter of Col. Charles West, Tulsa, Okla., in regard to the condition of our Army, especially the reserve situation, and urging the necessity of utilizing the period of peace in training our officers to the high standard of efficiency required in time of war; to the Committee on Military Affairs.

1249. Also, petition from the citizens of Ponca City, Okla., in protest to the passage of House bill 78, for compulsory Sunday observance; to the Committee on the District of Columbia.

1250. Also, petition from the citizens of Newkirk, Okla., and vicinity, in protest to the passage of House bill 78, for compulsory Sunday observance; to the Committee on the District of Columbia.

1251. By Mr. GARNER of Texas: Petition of citizens of Falfurrias, Tex., against compulsory Sunday observance; to the Committee on the District of Columbia.

1252. By Mr. GOLDSBOROUGH: Petition of citizens of Elkton, Md., and others, protesting against passing of House bill 78; to the Committee on the District of Columbia.

1253. By Mr. HADLEY: Petition of a number of residents of Langley and Freeland, Wash., protesting against compulsory Sunday observance; to the Committee on the District of Columbia.

1254. Also, petition of a number of residents of Startup, Wash., protesting against compulsory Sunday observance; to the Committee on the District of Columbia.

1255. Also, petition of a number of residents of Marysville, Wash., protesting against compulsory Sunday observance; to the Committee on the District of Columbia.

1256. Also, petition of a number of residents of Kent, Wash., protesting against compulsory Sunday observance; to the Committee on the District of Columbia.

1257. Also, petition of a number of residents of Everett, Wash., protesting against compulsory Sunday observance; to the Committee on the District of Columbia.

1258. Also, petition of a number of residents of Island County, Wash., protesting against compulsory Sunday observance; to the Committee on the District of Columbia.

1259. Also, petition of a number of residents of Skagit County, Wash., protesting against the Lankford Sunday closing bill; to the Committee on the District of Columbia.

1260. Also, petition of residents of Mount Vernon, Wash., and vicinity, protesting against compulsory Sunday observance; to the Committee on the District of Columbia.

1261. By Mr. HAWLEY: Petitions of residents of Washington and Yamhill Counties, Albany, Lane County, Columbia County, Tillamook County, Polk County, Grand Ronde, Milwaukie, Harrisburg, Cottage Grove, Clatskanie, Gaston, Waldport, Forest Grove, McMinnville, Carlton, Grants Pass, and Goble, all in the State of Oregon, opposing the passage of the Sunday observance bill; to the Committee on the District of Columbia.

1262. Also, petitions of residents of Roseburg, Sutherlin, Umpqua, Lane County, Coos County, Cottage Grove, Douglas County, Hillsboro, Clatskanie, Gaston, Clackamas County, and Oregon City, all in the State of Oregon, opposing the passage of the Sunday observance bill; to the Committee on the District of Columbia.

1263. By Mr. HANCOCK: Petition of Mrs. Robert L. Clark and other residents of Syracuse, N. Y., in opposition to House bill 78; to the Committee on the District of Columbia.

1264. Also, petition of R. L. Clark and other residents of Syracuse, N. Y., against the enactment of House bill 78; to the Committee on the District of Columbia.

1265. By Mr. HICKEY: Petition of Orval Quick and other citizens of La Porte, Ind., opposing passage of the compulsory Sunday observance bill; to the Committee on the District of Columbia.

1266. Also, petition of A. B. Dilworth and other citizens of South Bend, Ind., opposing the compulsory Sunday observance bill; to the Committee on the District of Columbia.

1267. Also, petition of 53 citizens of Kosciusko County, Ind., opposing the passage of the compulsory Sunday observance bill; to the Committee on the District of Columbia.

1268. By Mr. HOCH: Petition of L. D. Garrett and sundry other citizens of Burlington, Kans., protesting against the proposed Sunday observance bill; to the Committee on the District of Columbia.

1269. Also, petition of Curt Miller and 20 adult residents of Eureka, Greenwood County, Kans., earnestly asking Congress not to pass House bill 78 or any compulsory Sunday bills that have been introduced; to the Committee on the District of Columbia.

1270. Also, petition of D. L. Roser and sundry other citizens of Burlington, Kans., protesting against the proposed legislation, House bill 78; to the Committee on the District of Columbia.

1271. By Mr. HOOPER: Petition of Mrs. G. W. VanFossen and 32 other residents of Hillsdale County, Mich., protesting against the enactment of compulsory Sunday observance legislation for the District of Columbia; to the Committee on the District of Columbia.

1272. By Mr. HUDDLESTON: Petition of Mrs. George W. Fisher and numerous other residents of Fulton Springs and Lewisburg, Ala., in opposition to House bill 78, the District of Columbia Sunday bill; to the Committee on the District of Columbia.

1273. Also, petition of Emma Winston and numerous other residents of Birmingham, Ala., in opposition to House bill 78, the District of Columbia Sunday bill; to the Committee on the District of Columbia.

1274. Also, petition of Will Roberson D. McFarland and numerous other residents of Bessemer, Ala., in opposition to House bill 78, the District of Columbia Sunday bill; to the Committee on the District of Columbia.

1275. Also, petition of C. W. Banta and numerous other residents of Birmingham, Ala., in opposition to House bill 78, the District of Columbia Sunday bill; to the Committee on the District of Columbia.

1276. By Mr. KADING: Petition signed by 37 citizens of Fort Atkinson, Wis., protesting against the passage of any Sunday observance legislation; to the Committee on the District of Columbia.

1277. Also, petition signed by 76 citizens of Portage, Wis., protesting against the passage of so-called Sunday observance legislation; to the Committee on the District of Columbia.

1278. Also, petition signed by 115 citizens of Sheboygan, Wis., protesting against the passage of so-called Sunday observance legislation; to the Committee on the District of Columbia.

1279. By Mr. KETCHAM: Petition of D. L. Hyde and 20 other residents of Benton Harbor, Mich., protesting against the passage of House bill 78 or any other bill providing for compulsory Sunday observance; to the Committee on the District of Columbia.

1280. Also, petition of 134 residents of Lawton, Mich., and vicinity, protesting against the passage of House bill 78 or any other bill providing for compulsory Sunday observance; to the Committee on the District of Columbia.

1281. Also, petition of L. R. Hutchins and 219 other residents of Paw Paw, Mich., and vicinity, protesting against the passage of House bill 78 or any other bill providing for compulsory Sunday observance; to the Committee on the District of Columbia.

1282. Also, petition of F. L. Rogers and 9 other residents of Decatur, Mich., protesting against the passage of House bill 78 or any other bill providing for compulsory Sunday observance; to the Committee on the District of Columbia.

1283. Also, petition of Edw. F. Everard and 27 other residents of Sturgis, Mich., protesting against the passage of House bill 78 or any other bill providing for compulsory Sunday observance; to the Committee on the District of Columbia.

1284. By Mr. LINTHICUM: Petition of Steele-Lobell Co., of Baltimore, favoring the Capper-Kelly fair trade bill; to the Committee on Interstate and Foreign Commerce.

1285. By Mr. McREYNOLDS: Petition containing the names of 64 voters from the town of Cleveland, Tenn., protesting against the passage of the Sunday observance bill (H. R. 78); to the Committee on the District of Columbia.

1286. By Mr. MacGREGOR: Petition of citizens of Buffalo, N. Y., protesting against the passage of the Lankford bill for the compulsory observance of Sunday; to the Committee on the District of Columbia.

1287. Also, petition of citizens of Buffalo, N. Y., protesting against the passage of the Lankford compulsory Sunday observance bill; to the Committee on the District of Columbia.

1288. By Mr. MAAS: Petition of citizens of St. Paul, Minn., protesting against the enactment into law of House bill 78, the

Lankford Sunday observance bill; to the Committee on the District of Columbia.

1289. By Mr. MILLER: Petition of citizens of Seattle, Wash., and Kitsap County, Wash., protesting against House bill 78, District of Columbia Sunday closing bill; to the Committee on the District of Columbia.

1290. By Mr. MORIN: Petition of the Jewish National Workers' Alliance, of Pittsburgh, Pa., urging Congress to take proper measures that may lead to a cessation of the anti-Semitic massacres in Rumania; to the Committee on Foreign Affairs.

1291. By Mr. MORROW: Petition of citizens of Colfax County, N. Mex., protesting against House bill 78, compulsory Sunday observance for the District of Columbia; to the Committee on the District of Columbia.

1292. Also, petition of citizens of Fort Stanton, N. Mex., protesting against House bill 78, compulsory Sunday observance for the District of Columbia; to the Committee on the District of Columbia.

1293. By Mr. NELSON of Missouri: Petition signed by citizens of Montreal and Ulman, Camden County, Mo., against compulsory Sunday observance; to the Committee on the District of Columbia.

1294. Also, petition signed by citizens of Florence, Mo., against Sunday observance; to the Committee on the District of Columbia.

1295. By Mr. NEWTON: Petition of O. O. Bernstein and others, of Minneapolis, protesting against compulsory Sunday observance; to the Committee on the District of Columbia.

1296. By Mr. NIEDRINGHAUS: Petition of H. C. Hartwell and 190 other residents of St. Louis and St. Louis County, Mo., protesting against the enactment of House bill 78, and all other proposed legislation compelling Sunday observance; to the Committee on the District of Columbia.

1297. By Mr. O'BRIEN: Petition of residents of Clarksburg, W. Va., against compulsory Sunday observance; to the Committee on the District of Columbia.

1298. By Mr. ROMJUE: Petition of Mrs. J. W. Thomas, Reba Steffey, et al., of Queen City, Mo., in opposition to the passage of House bill 78; to the Committee on the District of Columbia.

1299. Also, petition of Charles E. Colinet, J. L. Brightwell, and others, of Monticello, Mo., against passage of House bill 78; to the Committee on the District of Columbia.

1300-1301. By Mr. SUMMERS of Washington: Petition signed by W. I. Smith and 764 others, of Walla Walla County, Wash., protesting against the enactment of compulsory Sunday observance legislation; to the Committee on the District of Columbia.

1302. Also, petition signed by H. B. Noland and others, of Walla Walla County, Wash., protesting against the enactment of compulsory Sunday observance legislation; to the Committee on the District of Columbia.

1303. Also, petition signed by Dr. E. L. Whitney and 285 others, of Walla Walla County, Wash., protesting against the enactment of compulsory Sunday observance legislation; to the Committee on the District of Columbia.

1304. Also, petition signed by J. E. Shimek and others, of Kahlotus, Wash., urging relief for Civil War veterans and their widows; to the Committee on Invalid Pensions.

1305. By Mr. SANDERS of Texas: Petition of Texas S. H. Gross and 62 other citizens of Van Zandt County, Tex., protesting against compulsory Sunday observance legislation, and especially the Lankford bill; to the Committee on the District of Columbia.

1306. By Mr. SINNOTT: Petition of a large number of citizens of Milton-Freewater (Umatilla County), Oreg., protesting against the enactment into law by Congress of House bill 78, or any similar compulsory Sunday observance legislation; to the Committee on the District of Columbia.

1307. Also, petition of numerous citizens of Bend, Oreg., protesting against the enactment into law by Congress of House bill 78, or any similar compulsory Sunday observance legislation; to the Committee on the District of Columbia.

1308. Also, petition of numerous citizens of Hood River, Deschutes, Crook, etc., Counties in Oregon, protesting against the enactment into law by Congress of House bill 78 or any similar compulsory Sunday observance legislation; to the Committee on the District of Columbia.

1309. Also, petition of numerous citizens of The Dalles, Oreg., protesting against enactment of House bill 78, the Lankford bill, or any compulsory Sunday observance legislation; to the Committee on the District of Columbia.

1310. Also, petition of numerous citizens of Morrow County, Oreg., protesting against enactment of House bill 78, the Lankford bill, or any compulsory Sunday observance legislation; to the Committee on the District of Columbia.

1311. By Mr. TABER: Petition of citizens of the thirty-sixth congressional district of New York against House bill 78, Sun-

day observance bill; to the Committee on the District of Columbia.

1312. By Mr. TAYLOR of Colorado: Petitions from citizens of Clifton, Colo., protesting against the passage of any compulsory Sunday observance legislation; to the Committee on the District of Columbia.

1313. Also, petition from citizens of Palisade, Colo., protesting against the passage of any compulsory Sunday observance legislation; to the Committee on the District of Columbia.

1314. Also, petition from citizens of Kline, Colo., protesting against the passage of any compulsory Sunday observance legislation; to the Committee on the District of Columbia.

1315. Also, petition from citizens of Dolores, Colo., protesting against the passage of any compulsory Sunday observance legislation; to the Committee on the District of Columbia.

1316. Also, petition from citizens of Fruita, Colo., protesting against the passage of any compulsory Sunday observance legislation; to the Committee on the District of Columbia.

1317. Also, petition from citizens of Cedaredge, Colo., protesting against the passage of any compulsory Sunday observance legislation; to the Committee on the District of Columbia.

1318. Also, petition from citizens of Durango, Colo., and vicinity, protesting against the passage of any compulsory Sunday observance legislation; to the Committee on the District of Columbia.

1319. By Mr. WARE: Petition of Mrs. R. W. Moor and others, protesting against House bill 78; to the Committee on the District of Columbia.

1320. Also, petition of Mrs. Hezzy Romans and others, protesting against House bill 78; to the Committee on the District of Columbia.

1321. By Mr. WATSON: Resolution adopted by Patriotic Order Sons of America of Pennsylvania, favoring enactment of more rigid enforcement of immigration laws; to the Committee on Immigration and Naturalization.

1322. Also, petition from members of the Woman's Christian Temperance Union, in protest against the billion-dollar Navy building program and favoring negotiations of treaties to prevent war; to the Committee on Naval Affairs.

1323. By Mr. WEAVER: Petition of citizens of Buncombe County, N. C., protesting against the passage of House bill 78; to the Committee on this District of Columbia.

1324. By Mr. WILLIAMS of Missouri: Petition of Mrs. Thomas E. Blair and 127 others, protesting against the passage of House bill 78; to the Committee on the District of Columbia.

1325. Also, petition of G. W. Henson and 18 others, protesting against the passage of House bill 78; to the Committee on the District of Columbia.

1326. Also, petition of W. W. Murry and 114 others, protesting against the passage of House bill 78; to the Committee on the District of Columbia.

1327. By Mr. WILLIAMSON: Petition of certain citizens of Oacoma, S. Dak., protesting against compulsory Sunday observance; to the Committee on the District of Columbia.

1328. Also, petition of Mrs. Chas. Shaffer and other residents of Perkins County, S. Dak., protesting against compulsory Sunday observance; to the Committee on the District of Columbia.

1329. Also, petition of certain citizens of Lead, S. Dak., protesting against compulsory Sunday observance; to the Committee on the District of Columbia.

1330. By Mr. BROWNE: Petition of citizens of Waushara County, Wis., protesting against House bill 78, and all other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

1331. By Mr. WYANT: Petition of 200 citizens of Westmoreland County, Pa., against compulsory Sunday observance as proposed in Lankford bill (H. R. 78); to the Committee on the District of Columbia.

## SENATE

WEDNESDAY, January 11, 1928

The Chaplain, Rev. Zeb Barney T. Phillips, D. D., offered the following prayer:

O Lord God, grant to each and all of us to be so true to our high calling here on earth that we may serve Thee with joy and without fear; that when each in his own appointed time shall be summoned to join the great company of departed souls we may pass hence in peace, looking humbly for that fuller light which shall break upon us, when the morning is come upon the unseen shore. Grant this O Lord for His sake, who is our life and in whose presence is fullness of joy, Jesus Christ our Lord. Amen.

The Chief Clerk proceeded to read the Journal of the proceedings of the legislative day of Monday last, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

### CALL OF THE ROLL

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Edwards	McKellar	Sheppard
Barkley	Ferris	McLean	Shipstead
Bayard	Fess	McMaster	Shortridge
Bingham	Fletcher	McNary	Smoot
Black	Frazier	Mayfield	Steck
Blaine	George	Metcalf	Steiwer
Blease	Gerry	Neely	Stephens
Borah	Gillett	Norbeck	Swanson
Bratton	Gould	Norris	Thomas
Brookhart	Greene	Nye	Trammell
Broussard	Hale	Oddie	Tydings
Bruce	Harris	Overman	Tyson
Capper	Harrison	Phipps	Wagner
Caraway	Hayden	Pine	Walsh, Mass.
Copeland	Heflin	Pittman	Walsh, Mont.
Couzens	Howell	Ransdell	Warren
Curtis	Johnson	Reed, Pa.	Waterman
Cutting	Jones	Robinson, Ark.	Wheeler
Dale	Kendrick	Robinson, Ind.	Willis
Deneen	King	Sackett	
Dill	La Follette	Schall	

Mr. ROBINSON of Indiana. My colleague the senior Senator from Indiana [Mr. WATSON] is necessarily absent. I ask that this announcement may stand for the day.

Mr. GERRY. I wish to announce that the Senator from Missouri [Mr. REED] is unavoidably detained from the Senate.

The VICE PRESIDENT. Eighty-two Senators having answered to their names, a quorum is present.

### FOOT-AND-MOUTH DISEASE

Mr. KENDRICK. Mr. President, I hold in my hand a copy of the Live Stock Markets, a paper published by the John Clay Commission Co., of Chicago, and others, of our central markets. This paper contains an editorial entitled "Breakers ahead," and sounding a timely warning against the importation into this country of any livestock or livestock products from those countries that are known to be infested with foot-and-mouth disease.

The editorial is written in strong, concise, and most convincing language. The writer, Mr. John Clay, is one of the really great authorities on the livestock industry of the Nation. He has been for nearly 50 years a successful producer, on a large scale, of both cattle and sheep on the western plains and in the Rocky Mountain territory. For nearly 40 years he has been at the head of one of the great livestock commission companies, with houses located in practically every one of our largest market centers. In addition to these activities, he has been for many years, and is now, at the head of and a directing force in a number of our western banking institutions and has rendered great service in furnishing funds for the rehabilitation of the livestock industry following its recent period of severe depression.

In addition to his intimate knowledge of the industry in this country, Mr. Clay, as a boy in Scotland, and since in frequent visits to his native land, has had unusual opportunities to observe the ravages of the foot-and-mouth disease in its effect upon livestock. Because of such intimate knowledge, his warning is entitled to special consideration at this time.

Without doubt the country will approve to the fullest extent the sentiment expressed in this editorial because of the Nation's recent experiences with this dread disease. In the outbreak of 1914-15, 172,222 animals were destroyed, with an appraised value of \$5,865,720. There was expended in eradicating this outbreak, including the value of the animals slaughtered, the expense of their burial, supplies, and work of disinfection, approximately \$9,000,000. In the more recent outbreak of 1924-25 the figures show 142,152 animals destroyed, appraised value \$4,919,538.86, and the amount expended \$7,434,908.22. In each instance one-half the expense was born by the Federal Government and one-half by the States involved.

It will be recalled that less than two years ago the President, in one of his messages to Congress, called attention to the unusually adverse conditions prevailing in our livestock industry, and pointed out the necessity of rendering such consistent aid as could be given toward its rehabilitation. Very recently there has seemed to be some improvement in the unhappy condition of this industry, and in the face of such upward trend it would be especially inopportune to invite another disaster such as infection in our herds and flocks would surely mean.